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6 MARKUP OF:

7 H.R. 1418, the Animal Drug User Fee Amendments of 2023

8 H.R. 2544, the Securing the U.S. Organ Procurement and

9 Transplantation Network Act

10 H.R. 3561, the Promoting Access to Treatments and Increasing

11 Extremely Needed Transparency (PATIENT) Act of 2023

12 H.R. 2666, the Medicaid VBPs for Patients (MVP) Act

13 H.R. 3284, the Providers and Payers COMPETE Act

14 H.R. 3290, To amend title III of the Public Health Service

15 Act to ensure transparency and oversight of the 340B drug

16 discount program

17 H.R. 3285, the Fairness for Patient Medications Act

18 H.R. 3309, the Standard Fees to Expedite Evaluation and

19 Streamlining Act or the Standard FEES Act

20 H.R. 3293, the Expediting Federal Broadband Deployment

21 Reviews Act

22 H.R. 3299, the Deploying Infrastructure with Greater Internet

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23 Transactions and Legacy Applications Act or DIGITAL
24 Applications Act
25 H.R. 3283, the Facilitating the Deployment of Infrastructure
26 with Greater Internet Transactions and Legacy Applications
27 Act or Facilitating DIGITAL Applications Act
28 H.R. 3343, the Federal Broadband Deployment Tracking Act
29 H.R. 3565, the Spectrum Auction Reauthorization Act of 2023
30 H.R. 3557, the American Broadband Deployment Act of 2023
31 H.R. 1160, the Critical Electric Infrastructure Cybersecurity
32 Incident Reporting Act
33 H.R. 3277, the Energy Emergency Leadership Act
34 H.R. 1042, the Prohibiting Russian Uranium Imports Act
35 H.R. 1640, the Save Our Gas Stoves Act
36 H.R. 1615, the Gas Stove Protection and Freedom Act
37 WEDNESDAY, MAY 24, 2023
38 House of Representatives,
39 Committee on Energy and Commerce,
40 Washington, D.C.

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44 The committee met, pursuant to call, at 10:02 a.m., in

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45 Room 2123, Rayburn House Office Building, Hon. Cathy McMorris
46 Rodgers [chair of the committee] presiding.

47 Present: Representatives Rodgers, Burgess, Latta,
48 Guthrie, Griffith, Bilirakis, Johnson, Bucshon, Hudson,
49 Walberg, Carter, Duncan, Palmer, Dunn, Curtis, Lesko, Pence,
50 Crenshaw, Joyce, Armstrong, Weber, Allen, Balderson, Fulcher,
51 Pfluger, Harshbarger, Miller-Meeks, Cammack; Pallone, Eshoo,
52 DeGette, Schakowsky, Matsui, Castor, Sarbanes, Tonko, Clarke,
53 Cardenas, Ruiz, Peters, Dingell, Veasey, Kuster, Kelly,
54 Barragan, Blunt Rochester, Soto, Craig, Schrier, Trahan, and
55 Fletcher.

56

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57 Staff Present: Sarah Alexander, Professional Staff Member,
58 Energy & Environment; Kate Arey, Digital Director; Jolie
59 Brochin, Clerk, Health; Sarah Burke, Deputy Staff Director;
60 Michael Cameron, Professional Staff Member, IDC; Corey
61 Ensslin, Senior Policy Advisor, Health; Kristin Flukey,
62 Professional Staff Member, Health; Seth Gold, Professional
63 Staff Member, Health; Grace Graham, Chief Counsel, Health;
64 Sydney Greene, Director of Operations; Jack Heretik, Press
65 Secretary; Slate Herman, Counsel, C&T; Jessica Herron,
66 Clerk, IDC; Nate Hodson, Staff Director; Tara Hupman, Chief
67 Counsel; Noah Jackson, Clerk, C&T; Peter Kielty, General
68 Counsel; Emily King, Member Services Director; Elise
69 Krekorian, Professional Staff Member, Energy; Chris Krepich,
70 Press Secretary; Tim Kurth, Chief Counsel, IDC; Giulia
71 Leganski, Professional Staff Member, C&T; John Lin, Senior
72 Counsel, C&T; Molly Lolli, Counsel, Health; Mary Martin,
73 Chief Counsel, Energy & Environment; Jacob McCurdy,
74 Professional Staff Member, Energy; Brandon Mooney, Deputy
75 Chief Counsel, Energy; Kate O'Connor, Chief Counsel, C&T;
76 Clare Paoletta, Professional Staff Member, Health; Kaitlyn
77 Peterson, Clerk, Energy & Environment; Karli Plucker,
78 Director of Operations; Carla Rafael, Senior Staff

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79 Assistant; Brannon Rains, Professional Staff Member, IDC;
80 Emma Schultheis, Staff Assistant; Olivia Shields,
81 Communications Director; Peter Spencer, Senior Professional
82 Staff Member, Energy; Michael Taggart, Policy Director;
83 Teddy Tanzer, Senior Counsel, IDC; Dray Thorne, Director of
84 Information Technology; Evan Viau, Professional Staff
85 Member, C&T; Lydia Abma, Minority Policy Analyst; Hannah
86 Anton, Minority Policy Analyst; Jacquelyn Bolen, Minority
87 Health Counsel; Jennifer Epperson, Minority Chief Counsel,
88 Communications and Technology; Waverly Gordon, Minority
89 Deputy Staff Director and General Counsel; Daniel Greene,
90 Minority Professional Staff Member; Tiffany Guarascio,
91 Minority Staff Director; Perry Hamilton, Minority Member
92 Services and Outreach Manager; Stephen Holland, Minority
93 Senior Health Counsel; Lisa Hone, Minority Chief Counsel,
94 Innovation, Data, and Commerce; Saha Khaterzai, Minority
95 Professional Staff Member; Una Lee, Minority Chief Health
96 Counsel; Joe Orlando, Minority Junior Professional Staff
97 Member; Kris Pittard, Minority Professional Staff Member;
98 Kylea Rogers, Minority Policy Analyst; Michael Scurato,
99 Minority FCC Detailee; Andrew Souvall, Minority Director of
100 Communications, Outreach and Member Services; Medha

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101 Surampudy, Minority Professional Staff Member; Johanna
102 Thomas, Minority Counsel; Rick Van Buren, Minority Senior
103 Health Counsel; and Tuley Wright, Minority Staff Director,
104 Energy, Climate, and Grid Security.
105

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106 *The Chair. The committee will come to order.

107 Good morning. I am proud this committee is building on
108 its rich history of delivering on important priorities at the
109 very center of improving people's lives and raising the
110 standard of living.

111 We will begin our markup today with legislation from our
112 Health Subcommittee. Our solutions will lower costs for
113 Americans and provide more health care price transparency,
114 responsibly fund community health centers and diabetes
115 research, prevent harmful cuts to hospitals that serve the
116 most vulnerable patients, train more doctors in our
117 communities, and improve FDA's review of animal drugs used by
118 farmers and pet owners.

119 We are taking action to make the health care system more
120 patient-friendly, so that people can access health care when
121 they need it and at a cost they can afford. Just recently I
122 read in The Washington Post of just the craziness of the
123 American health care system, insurers denying a baby's
124 coverage to stay in the NICU for a fourth day by saying in
125 the letter, "You are drinking from a bottle," and you are
126 "breathing on your own." I can't imagine what it is like
127 being a new, tired parent of a NICU baby and receiving that

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128 harsh and cold letter.

129 To put patients and their needs first, we had a long
130 discussion about the bills in the subcommittee -- in the
131 Health Subcommittee in both partisan legislative hearing and
132 markup. Today is a very important step, but it is just a
133 first step in our effort to improve how the health care
134 system works for patients.

135 Next we will move to our Communications and Technology
136 Subcommittee and solutions to help close the digital divide
137 and lift permitting burdens, so we can deploy broadband
138 faster with less government waste and more efficiently.
139 High-speed broadband is an important part of our economy, yet
140 many Americans, including in eastern Washington, do not have
141 access to reliable broadband.

142 In order to deploy broadband, providers need to go
143 through burdensome permitting processes at the federal,
144 state, and local level, and the time to receive an approval
145 on a permit can range from several months to several years.

146 Congress provided an unprecedented amount of spending --
147 more than \$42 billion -- for broadband deployment. Without
148 reforms to the permitting processes, this money could be
149 wasted.

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150 Our legislation would cut the red tape and ensure that
151 this money can reach rural unserved Americans quickly. We
152 are moving forward on several of these bills in bipartisan
153 support, but I am hopeful that, to my colleagues across the
154 aisle, we will continue to work on solutions to all of these
155 bills. Regardless, we are going to stay focused on
156 delivering for the American people.

157 Finally, on Spectrum, we are acting again to reauthorize
158 the FCC's Spectrum auction authority, this time for 3 years.
159 The Spectrum Auction Reauthorization Act would extend
160 Spectrum auction authority, make important changes to
161 existing spectrum auction processes, and direct Spectrum
162 auction proceeds to fund critical programs.

163 This bill would promote our national security by
164 providing more than \$3 billion for our small communication
165 providers to remove Huawei and ZTE from their networks. It
166 would authorize and fund next generation 9-1-1 technology to
167 help our public safety officers and make sure Americans can
168 reach emergency responders when they need it most.

169 Most importantly, this bill is a product of long-
170 bipartisan, bicameral negotiations, and I urge my colleagues
171 to vote yes.

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172 On the energy front, we are continuing our mission to
173 make energy more affordable and strengthen American energy
174 security. Nuclear is a key part of our energy mix, and right
175 now America is dangerously reliant upon Russia's supply of
176 nuclear fuels for our existing nuclear power plant fleet.

177 My legislation, the Prohibiting Russian Uranium Imports
178 Act, bans fuels imported from Russia and sends a strong
179 signal to the market that will help restore American nuclear
180 leadership and fuel infrastructure.

181 We will also be considering two bills from
182 Representatives Lesko and Armstrong that prevent DOE and CPSC
183 from universally banning gas stoves. The Biden
184 Administration is trying to use the Federal Government's
185 power to dictate every aspect of our lives, from what kind of
186 a car we drive to how Americans are allowed to cook food for
187 their families.

188 Again, I want to thank all of my colleagues today that
189 are leading in this markup. It is a reflection of our most
190 important responsibilities of the duly-elected
191 representatives of the people's house to listen to those we
192 serve, engage in the battle of ideas, and find solutions to
193 make people's lives better.

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194 I look forward to the discussion today. Let's get to
195 work.

196 I now recognize the gentleman from New Jersey, the
197 ranking member, Representative Pallone, for five minutes for
198 an opening statement.

199 *Mr. Pallone. I thank the chairwoman.

200 Today the committee will be marking up 19 bills. We
201 will begin by marking up seven health care bills that taken
202 together improve transparency and lower health care costs for
203 the American people. I am pleased we are marking up
204 H.R. 3561, the PATIENT Act, which was introduced by Chair
205 Rodgers and myself. It will improve the transparency of our
206 health care system, lower costs for patients, and strengthen
207 our health care workforce by reauthorizing important programs
208 that make care accessible in the most high-need communities.

209 The bill strengthens requirements for both hospitals and
210 insurers to display price information in easy-to-understand
211 formats for consumers. This is going to help both consumers
212 and employers save money on health care services.

213 The legislation reauthorizes our Nation's community
214 health centers through the end of 2025, with increased
215 funding for a total of \$4.2 billion per year. Community

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216 health centers work tirelessly to deliver high-quality,
217 affordable health care for over 30 million patients
218 nationwide in some of our most vulnerable communities.

219 It also includes a 6-year reauthorization and doubles
220 the current funding level of the teaching health center
221 graduate medical education program to support the training of
222 primary care residents and dental residents in high-need
223 communities.

224 The PATIENT Act also cancels planned payment cuts to
225 Medicaid disproportionate share hospitals which provide
226 essential care for our Nation's most vulnerable populations.

227 The committee is also considering seven bills out of the
228 Communications and Technology Subcommittee, six of which are
229 bipartisan and the result of cooperative negotiations. The
230 Spectrum Auction Reauthorization Act, which Chair Rodgers and
231 I introduced earlier this week, restores the Spectrum auction
232 authority of the FCC and authorizes it for 3 years.

233 It also firmly establishes the National
234 Telecommunications and Information Administration as the
235 clear manager of federal Spectrum holdings, and it funds two
236 programs of critical importance to national security and
237 public safety, the FCC's rip and replace program, and a next

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238 generation 9-1-1 grant program. And I am hopeful that we can
239 advance it through both chambers and get it enacted as soon
240 as possible.

241 Unfortunately, bipartisan cooperation did not extend to
242 the majority's partisan broadband permitting bill, H.R. 3557.
243 At last week's subcommittee markup, several of my Republican
244 colleagues said they wanted the bill to be bipartisan, but
245 their expectations seem to be that Democrats would join this
246 harmful bill with no compromise reflecting Democratic
247 priorities and concerns.

248 Unfortunately, Republicans insisted on a package of
249 giveaways that trample on state and local rights and consumer
250 and environmental protections, and, therefore, I will oppose
251 this bill.

252 We are also marking up several bipartisan energy bills
253 that I will support. One directs the Secretary of Energy to
254 designate energy emergency and security matters to an
255 assistant secretary, and another strengthens our energy
256 infrastructure cybersecurity.

257 We will also consider H.R. 1042, the Prohibiting Russian
258 Uranium Imports Act. While I support ending our dangerous
259 reliance on Russia for enriched uranium, we cannot simply ban

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260 the importation of Russian uranium and hope that that will
261 solve the problem.

262 We need more domestic conversion and enrichment
263 capabilities here at home, or else we could face steep
264 challenges in which our Nation's nuclear power reactors could
265 struggle to find the fuel they need to operate. And that is
266 why my staff requested to any Russian uranium ban also
267 include investments in domestic fuel cycle infrastructure.
268 But we were told that was not on the table, and, therefore, I
269 will oppose this bill.

270 And the final two bills are nothing more, in my opinion,
271 than scare tactics designed to mislead Americans into
272 thinking that the Biden Administration is trying to ban gas
273 stoves. They are not doing that, and Republicans have been
274 spreading this information for months.

275 With H.R. 1640, Republicans are trying to prevent the
276 Department of Energy from finalizing a commonsense,
277 Congressionally-mandated energy efficiency standard for new
278 cooktops. DOE's proposal simply requires new cooktops to be
279 more efficient, which will reduce energy bills and cut
280 harmful indoor air pollution that disproportionately impacts
281 children.

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282 And then H.R. 1615 establishes a dangerous precedent, in
283 my opinion, by prohibiting the Consumer Product Safety
284 Commission from fulfilling its responsibility to protect
285 children and other consumers from potentially dangerous
286 products.

287 This bill would preemptively limit the Commission's
288 options for addressing potential risk of gas stoves before
289 either the CPSC or this committee have had an opportunity to
290 fully explore the risk and potential solutions, and I think
291 that bill should be rejected.

292 I will have more to say, Madam Chair, on several of
293 these bills when they are considered during today's markup,
294 but for now I yield back the balance of my time.

295 *The Chair. The gentleman yields back.

296 The chair reminds members that pursuant to the committee
297 rules all members' opening statements will be made part of
298 the record.

299 Are there further opening statements?

300 *Mr. Latta. Madam Chair?

301 *The Chair. Mr. Latta, for what purpose? Opening
302 statement. You are recognized for five minutes for an opening
303 statement.

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304 *Mr. Latta. Well, thank you very much, Madam Chair.
305 And good morning again, and today we are marking up seven
306 bills from the Subcommittee on Communications and Technology.
307 Six of these bills remove barriers for broadband deployment,
308 and the final bill reauthorizes the Federal Communication
309 Commission's Spectrum auction authority, which expired in
310 March.

311 The permitting bills we are considering today are an
312 important step in ensuring that every American has access to
313 high-speed broadband.

314 Since 2020, Congress has dedicated a record amount of
315 money to support broadband deployment, culminating with the
316 Infrastructure Investment and Jobs Act. But spending is not
317 enough. The infrastructure law was a missed opportunity to
318 enact meaningful permitting reform that is necessary to
319 quickly build new networks. today we have the opportunity to
320 fix that mistake.

321 The gentleman from Georgia, the vice chair of our
322 subcommittee, has introduced the American Broadband
323 Deployment Act. It will remove permitting barriers at all
324 levels of government that delay or raise the cost of
325 deployment. This bill places reasonable limitations on state

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326 and local governments for what fees they may charge and will
327 prevent them, as well as the Federal Government, from
328 delaying application approvals through new deemed grant
329 remedies.

330 It will also streamline the environmental and historic
331 review process by exempting deployments on previously
332 disturbed lands from these reviews. These are commonsense
333 reforms that will make permitting applications less costly
334 and more timely and more predictable.

335 The other permitting bills on the agenda address the
336 cumbersome and oftentimes opaque process of deploying on
337 federal lands. These bills would establish a standard fee
338 schedule that federal land management agencies must follow
339 when reviewing broadband applications, create an interagency
340 strike force to ensure that agencies prioritize reviews of
341 broadband permitting applications, and require federal
342 agencies use an online portal to accept and track
343 applications.

344 I am pleased that five of the bills we are working on
345 are bipartisan, and I appreciate my colleagues on the other
346 side of the aisle for working with us on these bills. I wish
347 we could work together on all, especially the final bill.

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348 I am also pleased that we are making up the chair's
349 Spectrum Auction Reauthorization Act of 2023, which would
350 extend the FCC's auction authority for 3 years and fund
351 critical public safety and national security priorities. For
352 over 2 months, the FCC has lacked this authority, which casts
353 doubt on their preparedness to continue future auction
354 planning and on the U.S. commitment to wireless innovation.

355 Last Congress, I led the bipartisan Spectrum Innovation
356 Act, which passed the House. Unfortunately, the Senate
357 failed to act. And today we are once again renewing our
358 effort to reauthorize the FCC's Spectrum auction authority.

359 I look forward to working with our chair and our
360 colleagues in the Senate to restore the FCC's auction
361 authority as soon as possible.

362 And with that, Madam Chair, I yield back the balance of
363 my time.

364 *The Chair. The gentleman yields back.

365 The chair recognizes the lady from California,
366 Ms. Eshoo, for 3 minutes for the purposes of an opening
367 statement.

368 *Ms. Eshoo. Thank you, and good morning, Madam
369 Chairwoman and colleagues.

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370 Today we are marking up 19 bills, with 7 of them
371 originating from our Health subcommittee. They aim to
372 strengthen critical public health programs and increase
373 access to high-quality care, including a bill I co-led with
374 Chairman Guthrie entitled the Medicaid Value-Based Payments
375 for Patients Act.

376 I am very proud of the hard work we have done on this
377 bill to support and strengthen the Biden Administration's
378 efforts to provide patient access to lifesaving cell and gene
379 therapies. The MVP Act will be amended today to include
380 technical assistance from the HHS inspector general to
381 prevent fraud, waste, and abuse in value-based payments.

382 I am very pleased that we are also voting on legislation
383 to make major changes to the organ transplant system that has
384 been marred by errors, delays, and a lack of accountability
385 for too long.

386 We are one step closer today to breaking up the monopoly
387 currently held by the United Network for Organ Sharing and
388 give hope to the more than 100,000 Americans awaiting organs.

389 We are also marking up comprehensive legislation to
390 increase price transparency across all sectors of health care
391 and lower costs, including a bill I introduced with

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392 Representatives Castor and Carter and Chair Guthrie to level
393 the playing field in negotiations between pharmacy benefit
394 managers and health plan sponsors which will save the Federal
395 Government \$2 billion over 10 years.

396 Next we are considering four Energy Subcommittee bills;
397 one, Innovation, Data, and Commerce bill; and seven bills
398 from the Communications and Technology Subcommittee.

399 Thankfully, we are marking up the Spectrum Auction
400 Reauthorization Act, which will extend the FCC's auction
401 authority through 2026. This is a very important bill.

402 It also includes a bill I introduced with Congressman
403 Hudson, the Next Generation 9-1-1 Act, which will help the
404 U.S. upgrade their 9-1-1 systems to 21st century technology.

405 So I look forward to a productive markup. Madam
406 Chairwoman, we have our hands full, but that is wonderful, to
407 have our hands full. That is progress.

408 I yield back.

409 *The Chair. The gentlelady yields back.

410 The chair recognizes Mr. Guthrie for 3 minutes for the
411 purposes of an opening statement.

412 *Mr. Guthrie. Thank you, Madam Chair. Thank you for
413 the time.

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414 In today's markup, we will consider bills that advance
415 the goal of promoting greater patient access to quality
416 health care and making our health care system more
417 transparent for patients and their families.

418 The legislation we are voting on will also drive more
419 competition and choice in our health care system, and even
420 ensure our beloved pets maintain access to essential
421 medicines to help them live longer and happier lives.

422 These bills represent key priorities of the American
423 people, and I look forward to advancing these bills to the
424 House floor today.

425 We have had productive bipartisan discussions leading up
426 to this markup to ensure the legislation before us today will
427 ultimately have the greatest impact on patients. Today we
428 will consider legislation to increase transparency into the
429 prices that hospitals, laboratories, and insurance companies
430 charge patients and employers to make sure patients are
431 getting the greatest value possible.

432 The legislation before us will also reauthorize numerous
433 programs designed to bolster patient access to care,
434 particularly for those in most need. These include
435 addressing workforce challenges, eliminating cuts to the

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436 disproportionate share hospital program, and continuing
437 funding for the community health centers that so many of our
438 constituents depend on for their health care.

439 We are also promoting access to care for vulnerable
440 Americans who need lifesaving one-of-a-kind treatments. My
441 bill, the Medicaid VBPs for Patients Act, or MVP Act, would
442 provide access to the most innovative cures for Medicaid
443 patients living with otherwise incurable, untreatable, life-
444 threatening conditions through value-based agreements.

445 We are talking about patients with diseases such as
446 sickle cell and debilitating bleeding disorders. I want to
447 personally thank Representative Eshoo for her leadership to
448 take on this bill with me that will ultimately save lives and
449 promote long-term savings for state Medicaid programs.

450 Further, our hearings have shown us how lower costs and
451 higher care of -- quality of care can be achieved through
452 policies that promote competition and choice. One of these
453 policies will ensure seniors aren't paying more for drugs
454 because of the location that the drug is administered.
455 Seniors shouldn't pay more for the same drug and same level
456 of care in one setting than the other, and this policy is a
457 first step towards broader reform.

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458 In closing, I want to express my gratitude to my
459 colleagues on both sides of the aisle, and particularly our
460 staffs on both sides of the aisle, for how deeply they
461 have -- engaged everyone has been on these issues.

462 And I yield back.

463 *The Chair. The gentleman yields back.

464 Further opening statements? The lady from Colorado,
465 Ms. DeGette, is recognized for 3 minutes.

466 *Ms. DeGette. Thank you very much, Madam Chair.

467 Four of the bills we are considering today come from the
468 Energy Subcommittee. H.R. 1042 is the bill on Russian
469 uranium. And as the ranking member said, I don't think there
470 is anybody on this committee who would think that reliance on
471 Russian uranium is a good thing, and we should never be in a
472 position where we are reliant on an adversary for the
473 resources we need.

474 But I am still scratching my head from last week,
475 because as the ranking member said, the bill does nothing to
476 address the fact that we don't have enough domestic uranium
477 here, and also we need to provide the long-term solution.
478 And so I hope we can work across the aisle to fix this as the
479 bill goes forward and we can all support it.

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480 The next bill, 1640, is again an attempt to stir up
481 people's emotions, because it kills a congressionally
482 mandated rulemaking process that seeks to save Americans
483 money on their energy costs, but it doesn't impact gas
484 stoves.

485 As I said in the subcommittee markup, the Department of
486 Energy is not coming to take away your gas stove. Period.
487 What it is trying to do is make your next stove more energy
488 efficient.

489 We also have H.R. 3277, which elevates the head of the
490 Office of Cybersecurity to an assistant secretary level
491 position; and 1160, that allows DOE to require information on
492 cybersecurity incidents. These are non-controversial.

493 In addition to these bills out of the Energy Committee,
494 I just want to highlight briefly three other bipartisan
495 measures I introduced that are included in H.R. 3561.

496 The first, with Mr. Bilirakis, will reauthorize funding
497 for the special diabetes program to continue our Nation's
498 ongoing research to better treat, prevent, and eventually
499 cure diabetes. The funding provided by this program has
500 already helped fuel the discovery of new treatments and
501 technologies to help improve the lives of more than

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502 37 million Americans living with diabetes.

503 The second measure with Representatives Clarke,
504 Crenshaw, and Burgess is the Supporting Safety Net Hospitals
505 Act, which would prevent nearly \$250 million in cuts to
506 safety net hospitals in my home State of Colorado alone.
507 These hospitals provide care to some of the most vulnerable
508 in our community, and so this would give them the care they
509 need.

510 The final measure with Congresswoman Miller-Meeks is the
511 Diagnostic Lab Testing Transparency Act, which will help
512 lower health care costs for those seeking diagnostic lab
513 services by requiring labs to display the cash price for
514 their services, giving patients more tools to lower out-of-
515 pocket costs.

516 So I support my colleagues to support -- I urge my
517 colleagues to support all of these three measures, and there
518 is some other great legislation in here.

519 I yield back.

520 *The Chair. The gentlelady yields back.

521 Further opening statements? The gentleman from Florida,
522 Mr. Bilirakis, is recognized for 3 minutes.

523 *Mr. Bilirakis. Thank you, Madam Chair.

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524 Good morning, and welcome to today's markup where we
525 will consider and move forward 19 bills, including a number
526 of health care bills that will extend crucial public health
527 programs, reauthorize animal drug user fees, and provide
528 price transparency and competition to address the
529 skyrocketing costs of health care.

530 We are also looking to advance numerous pieces of
531 legislation that will ensure American broadband and
532 communications leadership and additional American
533 independence in our energy supply chain.

534 Lastly, under the Innovation, Data, and Commerce
535 Subcommittee, we will move forward with H.R. 1615, the Gas
536 Stove Protection and Freedom Act, from my good friend,
537 Representative Kelly Armstrong.

538 Earlier this year we heard disturbing reports about the
539 Consumer Product Safety Commission considering a universal
540 nationwide ban on gas stoves, which would be an assault on
541 individual consumer freedom and choice to decide what works
542 best for their kitchens.

543 The CPSC then moved forward with a request for
544 information to learn more about gas stove hazards and
545 emissions.

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546 Republicans are united with the American people in
547 disgust with the idea of banning gas stoves. I appreciate
548 Representative Armstrong for offering this legislation which
549 will prohibit the CPSC from using federal dollars to regulate
550 or issue enforcement regulations on gas stoves as a banned
551 product, or if the regulations prohibit the sale or
552 substantially increases the price of gas stoves.

553 It is unfortunate that this legislation is necessary,
554 but, sadly, this is where we are with the current
555 Administration. And many progressive states and cities have
556 already taken action, including in California and New York,
557 to ban new gas stoves altogether.

558 Ironically, in Palo Alto, where a gas stove ban has been
559 enacted, the city issued an exemption for one specific
560 celebrity chef, who argued that gas appliances were necessary
561 to achieve their signature complex flavors.

562 This type of carveout is hypocrisy at its finest, and
563 proof why we need H.R. 1615 to prohibit this vast regulatory
564 overreach. I look forward to advancing this and all the
565 bills we have on the agenda today, and I thank the chair.

566 I yield back the balance of my time.

567 *The Chair. The gentleman yields back.

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568 The chair recognizes the lady from Illinois,
569 Ms. Schakowsky, for the purpose of an opening statement,
570 3 minutes.

571 *Ms. Schakowsky. Thank you so much. I really look
572 forward to the many very good bills that we are going to be
573 dealing with today, including one Representative Bilirakis
574 and I share that has to do with health ownership
575 transparency, which is so important.

576 And I also look forward to advancing critical
577 legislation that will make sure that we continue to fund our
578 community health centers, which are so wonderful for our
579 communities.

580 I do want to say something about this last-minute gas
581 stove legislation. You know, those of us who have gas stoves
582 were surprised by what the Consumer Product Safety Commission
583 was looking at, but I support the idea that we do some
584 research. I want to know, as an owner, are there hazards and
585 to say that we are just going to pass legislation that says
586 the CPSC can't do anything, I think is really premature.

587 Let's allow the CPSC and the experts to do the kind of
588 research. I want to know if this is harmful to our children,
589 to ourselves, and there were no hearings, there were no

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590 markups, there was no nothing in this committee.

591 So I absolutely believe that we can come to some
592 consensus on a bipartisan basis. But just to say "no"
593 without any kind of research I think does not make any sense.
594 I will talk more about that later, but I look forward to the
595 many good bills that we are going to be working together on.

596 And with that, I yield back.

597 *The Chair. The gentlelady yields back.

598 The chair recognizes the gentleman from South Carolina,
599 Mr. Duncan, for 3 minutes, opening statement.

600 *Mr. Duncan. Thank you, Chair Rodgers, for holding this
601 markup, which includes four important bills to preserve
602 American energy leadership and security.

603 First, we will be taking up two bills to protect against
604 cyberthreats to our critical energy infrastructure.
605 Mr. Walberg and Ms. Schrier introduced the Critical Energy
606 Infrastructure Act which authorizes DOE to require critical
607 electric infrastructure owners and operators to share
608 information regarding cybersecurity incidents with DOE. I am
609 proud to co-sponsor this bill and its enhanced coordination
610 between the energy sector and the Federal Government to
611 improve our grid against our cyberattacks.

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612 The next cybersecurity bill will be taken up as
613 H.R. 3277, the Energy Emergency Leadership Act, introduced by
614 Representatives Walberg and Blunt Rochester. This bill will
615 elevate the leadership of the Department of Energy's
616 emergency response and cybersecurity functions to the
617 Senate-confirmed assistant secretary level.

618 This reflects the importance of DOE being the sector
619 risk management agency to coordinate and prepare for and
620 respond to all threats and hazards to our energy supply.

621 The next bill we will mark up is H.R. 1042, Prohibiting
622 Russian Uranium Imports, introduced by Chair Rodgers and my
623 colleague, Mr. Latta, which prohibits the importation of
624 unirradiated fresh and unused low-enriched uranium produced
625 in the Russian Federation. I am proud to co-sponsor this
626 bill which is necessary as Russian imports account for about
627 20 percent of the U.S. market.

628 We should not be vulnerable to Russia for our energy
629 needs, and this bill makes clear that Russian fuel after a
630 date certain will no longer be available to the U.S. market.
631 This will give the industry the certainty it needs to invest
632 and build out the necessary infrastructure to develop a Made
633 in America domestic supply chain system for nuclear fuel.

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634 And, finally, I would like to thank Congresswoman Lesko
635 for introducing H.R. 1640, Save Our Gas Stoves Act, which I
636 am also a co-sponsor of. This bill will prohibit the
637 Secretary of Energy from implementing an energy conservation
638 standard to effectively phase out gas stoves.

639 Americans should be free to choose what cooking product
640 they use in their home, or any appliance, really, and this
641 bill ensures that.

642 So I urge my colleagues to support the legislation in
643 front of us today which puts American people first,
644 prioritizes delivering affordable, reliable, and clean energy
645 to all Americans.

646 With that, I yield back.

647 *The Chair. The gentleman yields back.

648 The chair recognizes Ms. Matsui for 3 minutes for the
649 purpose of an opening statement.

650 *Ms. Matsui. Thank you very much Madam Chair.

651 As I said at the Communications and Technology
652 Subcommittee markup, I am proud of the bipartisan bills we
653 have advanced but remain concerned about the partisan
654 legislation which I believe will be counterproductive.

655 There is no doubt that scrutiny of the broadband

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656 permitting process is needed. This is especially true as
657 federal funding from the bipartisan infrastructure law starts
658 flowing to the states. I recently held a broadband
659 roundtable in my district with federal, state, and local
660 officials. This type of collaboration should be our North
661 Star for closing the digital divide.

662 The bipartisan bills on the agenda today do just that.
663 However, the partisan bill before us would reinforce a
664 combative rather than a collaborative relationship with local
665 governments. Local governments in my district are concerned
666 about heavy-handed preemption in the partisan bill on the
667 agenda today.

668 I encourage the members of this committee to reach out
669 to the mayors and city council members. I am sure they will
670 share these concerns. These local officials understand the
671 challenges they face better than anyone. They know where
672 broadband is available, where it is not, and the barriers
673 they face to connectivity.

674 So I hope we can refocus our efforts through a lens of
675 collaboration and local expertise, because without feedback
676 from those actually living in unserved communities, I am
677 worried our efforts will fall short.

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678 So, again, I am excited about the bipartisan bills and
679 hopefully we can course correct a misguided approach taken by
680 the partisan bill today.

681 With that, Madam Chair, I yield the balance of my time.

682 *The Chair. The gentlelady yields back.

683 Are there further opening statements?

684 Seeing none, the chair calls up H.R. 1418, as amended by
685 the Subcommittee on Health, and asks the clerk to report. Is
686 the mic on?

687 *The Clerk. Committee Print showing the text as
688 favorably forwarded by the Subcommittee on Health on
689 May 17 --

690 [H.R. 1418 follows:]

691

692 *****COMMITTEE INSERT*****

693

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

694 *The Chair. Without objection, the first reading of the
695 bill is dispensed with. The bill will be open for amendment
696 at any point. So ordered.

697 Does anyone seek to be recognized on the bill?

698 *Mr. Pence. Madam Chair, I move to strike the last
699 word.

700 *The Chair. The gentleman, Mr. Pence, is recognized
701 for five minutes to strike the last word.

702 *Mr. Pence. Thank you, Chairwoman Rodgers and Ranking
703 Member Pallone, for holding this markup.

704 I am proud to champion the fifth reauthorization in the
705 Animal Drug User Fee Act with my colleague, Congresswoman
706 Schrier.

707 This important legislation is critical to ensuring safe
708 and effective drugs for our Nation's livestock industry and
709 farm animals for the next 5 years. Farmers, ranchers, and
710 rural communities across southern Indiana rely on veterinary
711 medicines and therapeutics produced by animal drug
712 manufacturers.

713 Innovators in the Hoosier State like Elanco Animal
714 Health are leading the charge to keep America's farm animals
715 safe and healthy. This legislation would preserve the

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716 security of our Nation's food supply by making certain the
717 medications administered to food-producing animals are safe
718 for animal and human health.

719 I look forward to continuing to work with my colleagues
720 to ensure this legislation passes on the House floor and
721 reaches the President's desk. I urge support for final
722 passage of this legislation, and I yield back.

723 *The Chair. The gentleman yields back.

724 Further discussion or anyone -- the lady from
725 Washington, for what purpose does the gentlelady seek
726 recognition?

727 *Ms. Schrier. Madam Chair, I move to strike the last
728 word and speak on the underlying bill.

729 *The Chair. The gentlelady is recognized for five
730 minutes to strike the last word.

731 *Ms. Schrier. Thank you, Madam Chair. I want to thank
732 Representative Pence, the chair, the ranking member, and
733 committee staff for their hard work on this bipartisan bill.

734 This bill will allow the FDA, through its Center of
735 Veterinary Medicine, to approve necessary drugs and
736 medications for companion animals and livestock. It will
737 accelerate the development of medications for animals and

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738 promote a more predictable and streamlined review process.

739 It will hold the FDA accountable to performance goals
740 and timelines that will enhance inspection times and provide
741 some regulatory certainty, and it will preserve the security
742 of our Nation's food supply by making sure that the medicines
743 we give to food-producing animals are safe for animal and
744 human health.

745 This is important to all of us. If you have a sick pet,
746 you trust that the medications your veterinarian is
747 prescribing are safe, and ADUFA ensures these medications get
748 to market. And in my district, farmers, ranchers, dairymen
749 also rely on these FDA-approved medications to keep their
750 livestock healthy. For them, keeping those animals healthy
751 is not just about affection for them or responsibility for
752 them, it is critical for food production, food safety, human
753 health, and their economic livelihood.

754 Having timely access to affordable, effective
755 medications is critical. So I am happy to go to bat for our
756 rural areas and our agricultural community with this
757 legislation.

758 I want to thank Representative Pence for working
759 together on this, and I also encourage all of my colleagues

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760 to vote yes on this important bill.

761 I yield back.

762 *The Chair. The gentlelady yields back.

763 Does anyone seek to be recognized?

764 *Ms. Barragan. Madam Chair, I have an amendment at the
765 desk.

766 *The Chair. Are there bipartisan amendments to the
767 bill?

768 *Ms. Barragan. I have an amendment at --

769 *The Chair. Are there other amendments?

770 *Ms. Barragan. Madam Chair, I have an amendment at the
771 desk.

772 *The Chair. Okay. The gentlelady is recognized for her
773 amendment.

774 *Mr. Griffith. Madam Chair?

775 *The Chair. Yes.

776 *Mr. Griffith. I raise --

777 *The Chair. For what purpose --

778 *Mr. Griffith. Parliamentary order. Raise -- I would
779 like to reserve the right to object at the appropriate time.

780 *The Chair. A point of order is reserved.

781 Ms. Barragan is recognized for five minutes in support of

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782 her amendment.

783 *Ms. Barragan. Thank you, Madam Chair. My amendment
784 today underscores this committee's focus on innovation by
785 supporting new animal feeds that can be used to promote human
786 and animal health.

787 *The Chair. Excuse me real quick. I failed here. We
788 need to report the amendment. So if the lady would
789 suspend -- gentlelady suspend, clerk will report the
790 amendment.

791 *The Clerk. Amendment to the Committee Print of
792 H.R. 1418, offered by Ms. Barragan -

793

794 [The Amendment offered by Ms. Barragan follows:]

795

796 *****COMMITTEE INSERT*****

797

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798 *The Chair. Without objection, the reading of the
799 amendment is dispensed with. The point of order is
800 recognized, and now the lady is recognized for five minutes
801 in support of her amendment.

802 *Ms. Barragan. Thank you, Madam Chair. My amendment
803 today underscores this committee's focus on innovation by
804 supporting new animal feeds that can be used to promote
805 human and animal health. I offered a similar amendment last
806 week at our subcommittee markup, and I withdrew it with the
807 hopes that the majority would work on this pro business,
808 pro agriculture, pro farmers, and pro environment policy.

809 This amendment would clarify FDA's authorities and
810 expectations for new zootechnical animal food substances
811 which have the potential to, number 1, reduce pathogens like
812 salmonella in animals intended for human consumption;
813 number 2, support animal health by improving their
814 microbiome; and number 3, reduces waste and emission produced
815 by animals.

816 Under current law, companies must go through the lengthy
817 drug application process to make claims about the beneficial
818 effects of these products on product labeling. This has kept
819 many products off the shelves, limiting access to farmers and

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820 other animal owners.

821 The amendment I am offering this week improves on the
822 amendment from last week by focusing on the scope of the
823 policy and makes clear that the amendment does not authorize
824 the secretary to require anybody to use these products.
825 These new animal feeds would only exist as options for
826 farmers, pet owners, and veterinarians. This policy has
827 bipartisan support in the Senate and has the support of the
828 FDA, farmers, and the leaders in the agricultural industry,
829 including the National Milk Producers Federation.

830 It also has the support of innovators in the animal food
831 industry, including the National Grain and Feed Association,
832 and the support of environmental organizations.
833 Unfortunately, despite numerous attempts to work with the
834 chair, I regret that our office has told us they will not
835 support this amendment.

836 I will continue to keep the door open to working with my
837 colleagues who want to provide opportunities for innovation
838 as well as food safety in the future.

839 And with that, I will wait to hear from other colleagues
840 to speak on the amendment, but I will intend to withdraw it.

841 For now, I yield back.

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842 *The Chair. Further discussion on the amendment?

843 Mr. Pence?

844 *Mr. Pence. Madam Chair, I move to strike the last
845 word.

846 *The Chair. Mr. Pence is recognized for five minutes to
847 strike the last word.

848 *Mr. Pence. I urge opposition to the amendment but
849 support the underlying policy. This amendment offered by my
850 colleague is an important opportunity to reduce the
851 regulatory impact on feed additives in the agricultural
852 livestock industry. By redesigning the regulatory structure
853 of zotechnical animal food substances, this policy could
854 spur needed innovation to provide our farmers with more tools
855 to improve the health of their livestock.

856 It is important innovative feed companies also have a
857 regulatory pathway that incentivizes research and development
858 for products that help farmers nourish their animals and
859 support their profitability. However, given the year-long
860 process of stakeholder engagement and input from FDA to draft
861 this legislation, I believe this policy is not yet ready for
862 consideration at this time.

863 I support the agency's ongoing work to engage industry

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864 on this policy and move the fall forward for our Nation's
865 farmers.

866 I urge opposition to the amendment and yield back the
867 balance of my time.

868 *The Chair. The gentleman yields back.

869 Does any other member wish to be heard on the amendment?
870 Mr. Pallone, the ranking member, is recognized for five
871 minutes on the amendment.

872 *Mr. Pallone. Thank you, Madam Chair. I move to strike
873 the last word in support of the amendment. The amendment
874 offered by Representative Barragan will provide new options
875 for novel animal feed to interested farmers, veterinarians,
876 and pet owners who want to better understand the benefits of
877 some food additives for their animals.

878 The amendment will specifically allow animal food
879 producers to make claims about their products if they reduce
880 food-borne pathogens of human health significance, alter the
881 animal's gastrointestinal microbiome, or affect byproducts of
882 the digestive process in animals.

883 By informing farmers and other consumers of the
884 availability of these products, we can reduce the spread of
885 food-borne illnesses such as salmonella and E. coli and

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886 reduce emissions of greenhouse gases like methane as well as
887 nitrogen and phosphorus.

888 Nearly 15 percent of all global greenhouse gases come
889 from cattle emitting methane, and we may be able to reduce
890 that significantly just by including algae or seaweed in
891 cattle feed. This is the kind of easy, commonsense option we
892 should be encouraging.

893 This amendment is narrowly tailored to address specific
894 needs of consumers who want new options to reduce greenhouse
895 gas emissions or improve the health and safety of their
896 animals and the humans who rely on them.

897 As we have tried to engage with your staff on the
898 language, we have listened to concerns that have arisen and
899 have worked to address them. The amendment includes specific
900 rule of construction language clarifying that it does not
901 mandate the use of these products or any food products and
902 only exists as an option for animal owners. It also
903 specifically clarifies that these products are not drugs and
904 cannot make claims that the products can treat or prevent any
905 diseases.

906 I continue to remain mystified why the majority cannot
907 accept this amendment, because I do think it is a win-win.

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908 It has the support of FDA, animal feed, and farming
909 industries, including the National Milk Producers Federation,
910 as well as leading environmental groups like the
911 Environmental Defense Fund.

912 It is just allowing feed producers to make innovative
913 claims about the properties of their food that is supported
914 by science, and nobody is forcing anyone to use this
915 particular type of feed. How much more free market can you
916 get? What is the regulatory burden posed by this amendment?

917 I hope that all of my colleagues, including my
918 colleagues in the majority, many of whom represent large
919 agricultural areas, will come around and work with us to
920 support innovation and new options for those constituents,
921 like what is proposed in this amendment.

922 And with that, I yield back.

923 *The Chair. The gentleman yields back.

924 Does any other member wish to be heard on the amendment?

925 The chair recognizes the lady from Washington,
926 Ms. Schrier, for five minutes on the amendment.

927 *Ms. Schrier. Thank you, Madam Chair. I move to strike
928 the last word and speak on this amendment, in support of this
929 amendment. I want to echo the comments of the ranking member

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930 and thank Representative Barragan for raising this issue.

931 I am excited about this amendment to support the study
932 of food additives and their potential benefits for animals
933 and their environment. Feed additives, as you have heard,
934 can have myriad issues.

935 There is nutritional additives like vitamins, proteins,
936 that can impact growth rates in beef, cattle, and proteins
937 that have been shown to increase milk production, and
938 proteins that have -- in fact, seaweed that has been shown in
939 some cases to suppress methane emissions from animals.

940 We want to keep up with innovation, and having a pathway
941 to approve additives in a timely manner, in a manner that
942 people can trust to make sense, is important to farmers,
943 supported by the FDA, and giving FDA the appropriate tools to
944 review novel food additives in a safe and efficient manner
945 really should not be a contentious issue.

946 I look forward to supporting farmers and industry. I
947 support this language, and I yield back.

948 *The Chair. Further discussion on the amendment?

949 Seeing none, the sponsor has indicated that she will
950 withdraw the amendment.

951 *Ms. Barragan. Yes, Madam Chair. I will withdraw the

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952 amendment.

953 *The Chair. Without objection, so ordered.

954 Is there further -- are there further amendments?

955 Seeing none, the question is on H.R. 1418, as amended by
956 the Subcommittee on Health.

957 A roll call vote has been requested. The clerk will
958 call the roll.

959 *The Clerk. Mr. Burgess?

960 *Mr. Burgess. Aye.

961 *The Clerk. Mr. Burgess votes aye.

962 Mr. Latta?

963 *Mr. Latta. Aye.

964 *The Clerk. Mr. Latta votes aye.

965 Mr. Guthrie?

966 *Mr. Guthrie. Aye.

967 *The Clerk. Mr. Guthrie votes aye.

968 Mr. Griffith?

969 *Mr. Griffith. Aye.

970 *The Clerk. Mr. Griffith votes aye.

971 Mr. Bilirakis?

972 *Mr. Bilirakis. Aye.

973 *The Clerk. Mr. Bilirakis votes aye.

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974 Mr. Johnson?
975 *Mr. Johnson. Aye.
976 *The Clerk. Mr. Johnson votes aye.
977 Mr. Bucshon?
978 *Mr. Bucshon. Aye.
979 *The Clerk. Mr. Bucshon votes aye.
980 Mr. Hudson?
981 *Mr. Hudson. Aye.
982 *The Clerk. Mr. Hudson votes aye.
983 Mr. Walberg?
984 *Mr. Walberg. Aye.
985 *The Clerk. Mr. Walberg votes aye.
986 Mr. Carter?
987 *Mr. Carter. Aye.
988 *The Clerk. Mr. Carter votes aye.
989 Mr. Duncan?
990 *Mr. Duncan. Aye.
991 *The Clerk. Mr. Duncan votes aye.
992 Mr. Palmer?
993 *Mr. Palmer. Aye.
994 *The Clerk. Mr. Palmer votes aye.
995 Mr. Dunn?

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996 *Mr. Dunn. Aye.
997 *The Clerk. Mr. Dunn votes aye.
998 Mr. Curtis?
999 *Mr. Curtis. Aye.
1000 *The Clerk. Mr. Curtis votes aye.
1001 Mrs. Lesko?
1002 *Mrs. Lesko. Aye.
1003 *The Clerk. Mrs. Lesko votes aye.
1004 Mr. Pence?
1005 *Mr. Pence. Aye.
1006 *The Clerk. Mr. Pence votes aye.
1007 Mr. Crenshaw?
1008 *Mr. Crenshaw. Aye.
1009 *The Clerk. Mr. Crenshaw votes aye.
1010 Mr. Joyce?
1011 *Mr. Joyce. Aye.
1012 *The Clerk. Mr. Joyce votes aye.
1013 Mr. Armstrong?
1014 *Mr. Armstrong. Yes.
1015 *The Clerk. Mr. Armstrong votes aye.
1016 Mr. Weber?
1017 *Mr. Weber. Aye.

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1018 *The Clerk. Mr. Weber votes aye.
1019 Mr. Allen?
1020 *Mr. Allen. Allen is aye.
1021 *The Clerk. Mr. Allen votes aye.
1022 Mr. Balderson?
1023 *Mr. Balderson. Aye.
1024 *The Clerk. Mr. Balderson votes aye.
1025 Mr. Fulcher?
1026 *Mr. Fulcher. Aye.
1027 *The Clerk. Mr. Fulcher votes aye.
1028 Mr. Pfluger?
1029 *Mr. Pfluger. Aye.
1030 *The Clerk. Mr. Pfluger votes aye.
1031 Mrs. Harshbarger?
1032 *Mrs. Harshbarger. Aye.
1033 *The Clerk. Mrs. Harshbarger votes aye.
1034 Mrs. Miller-Meeks?
1035 *Mrs. Miller-Meeks. Aye.
1036 *The Clerk. Mrs. Miller-Meeks votes aye.
1037 Mr. Obernolte? Excuse me. Mrs. Cammack?
1038 *Mrs. Cammack. Aye.
1039 *The Clerk. Mrs. Cammack votes aye.

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1040 Mr. Obernolte?
1041 [No response.]
1042 *The Clerk. Mr. Pallone?
1043 *Mr. Pallone. Aye.
1044 *The Clerk. Mr. Pallone votes aye.
1045 Ms. Eshoo?
1046 *Ms. Eshoo. Aye.
1047 *The Clerk. Ms. Eshoo votes aye.
1048 Ms. DeGette?
1049 *Ms. DeGette. Aye.
1050 *The Clerk. Ms. DeGette votes aye.
1051 Ms. Schakowsky?
1052 *Ms. Schakowsky. Aye.
1053 *The Clerk. Ms. Schakowsky votes aye.
1054 Ms. Matsui?
1055 *Ms. Matsui. Aye.
1056 *The Clerk. Ms. Matsui votes aye.
1057 Ms. Castor?
1058 *Ms. Castor. Aye.
1059 *The Clerk. Ms. Castor votes aye.
1060 Mr. Sarbanes?
1061 [No response.]

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1062 *The Clerk. Mr. Tonko?
1063 *Mr. Tonko. Aye.
1064 *The Clerk. Mr. Tonko votes aye.
1065 Ms. Clarke?
1066 *Ms. Clarke. Aye.
1067 *The Clerk. Ms. Clarke votes aye.
1068 Mr. Cardenas?
1069 *Mr. Cardenas. Aye.
1070 *The Clerk. Mr. Cardenas votes aye.
1071 Mr. Ruiz?
1072 *Mr. Ruiz. Aye.
1073 *The Clerk. Mr. Ruiz votes aye.
1074 Mr. Peters?
1075 *Mr. Peters. Aye.
1076 *The Clerk. Mr. Peters votes aye.
1077 Mrs. Dingell?
1078 *Mrs. Dingell. Aye.
1079 *The Clerk. Mrs. Dingell votes aye.
1080 Mr. Veasey?
1081 [No response.]
1082 *The Clerk. Ms. Kuster?
1083 *Ms. Kuster. Aye.

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1084 *The Clerk. Ms. Kuster votes aye.
1085 Ms. Kelly?
1086 *Ms. Kelly. Aye.
1087 *The Clerk. Ms. Kelly votes aye.
1088 Ms. Barragan?
1089 *Ms. Barragan. Aye.
1090 *The Clerk. Ms. Barragan votes aye.
1091 Ms. Blunt Rochester?
1092 *Ms. Blunt Rochester. Aye.
1093 *The Clerk. Ms. Blunt Rochester votes aye.
1094 Mr. Soto?
1095 *Mr. Soto. Aye.
1096 *The Clerk. Mr. Soto votes aye.
1097 Ms. Craig?
1098 *Ms. Craig. Aye.
1099 *The Clerk. Ms. Craig votes aye.
1100 Ms. Schrier?
1101 *Ms. Schrier. Aye.
1102 *The Clerk. Ms. Schrier votes aye.
1103 Mrs. Trahan?
1104 *Mrs. Trahan. Aye.
1105 *The Clerk. Mrs. Trahan votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1106 Mrs. Fletcher?

1107 *Mrs. Fletcher. Aye.

1108 *The Clerk. Mrs. Fletcher votes aye.

1109 Chair Rodgers?

1110 *The Chair. Aye.

1111 *The Clerk. Chair Rodgers votes aye.

1112 *The Chair. The clerk will report.

1113 *The Clerk. Chair Rodgers, on that vote there were 49

1114 ayes and 0 noes.

1115 *The Chair. The ayes have it, and the bill is adopted.

1116 The chair calls up H.R. 2544 and asks the clerk to

1117 report.

1118 *The Clerk. H.R. 2544, a bill to improve the organ

1119 procurement and transplantation network, and for other

1120 purposes.

1121

1122

1123 [H.R. 2544 follows:]

1124

1125 *****COMMITTEE INSERT*****

1126

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

1127 *The Chair. Without objection, the first reading of
1128 the bill is dispensed with, and the bill will be open for
1129 amendments at any point. So ordered.

1130 Does anyone seek to be recognized on the bill?

1131 *Mr. Bucshon. Madam Chair?

1132 *The Chair. For what purpose does the gentleman seek
1133 recognition?

1134 *Mr. Bucshon. I move to strike the last word and to
1135 speak in favor of the bill.

1136 *The Chair. The gentleman is recognized for five minutes
1137 to strike the last word.

1138 *Mr. Bucshon. Thank you, Madam Chair.

1139 The Securing the U.S. Organ Procurement and
1140 Transplantation Network Act, or H.R. 2544, which I introduced
1141 with my colleague, Robin Kelly, seeks to improve our National
1142 Organ Procurement and Transplant Network, OPTN, program,
1143 which is overseen by HRSA and run through a contract with the
1144 United Network for Organ Sharing.

1145 According to an increasing numbers of reports, the OPTN
1146 struggles to obtain and distribute organs in an efficient,
1147 timely, and appropriate manner. In fact, it is believed that
1148 thousands of donated organs go to waste each year because the

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1149 process of obtaining organs, matching them to a recipient,
1150 and transporting them is not happening effectively.

1151 With the technology and expertise available today, this
1152 is utterly unacceptable. H.R. 2544 allows HRSA to improve
1153 the OPTN program. It clarifies that HRSA does not have to
1154 implement a single contract for all aspects of the program
1155 and encourages a competitive process to choose the best
1156 contractors for each OPTN function.

1157 As a physician in Congress, my focus with this
1158 legislation is on ensuring that HRSA has the authority that
1159 it needs to act on behalf of patients and ensure that the
1160 best innovators are able to compete and play their part in
1161 saving lives.

1162 I yield back.

1163 *The Chair. The gentleman yields back.

1164 Is there further discussion on the legislation?

1165 Ms. Kelly, for what purpose do you seek recognition?

1166 *Ms. Kelly. I would like to strike the last word.

1167 *The Chair. The gentlelady is recognized for five
1168 minutes to strike the last word.

1169 *Ms. Kelly. Thank you, Chairwoman McMorris Rodgers and
1170 Ranking Member Pallone, for holding this bipartisan markup

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1171 and including H.R. 2544, the Securing the U.S. Organ
1172 Procurement and Transplantation Network Act that I was very
1173 proud to co-lead with the vice chair of the Health
1174 Subcommittee, Dr. Bucshon.

1175 Around 6,000 Americans die each year while waiting for
1176 organ transplants, with the problem being even more acute for
1177 people of color and people in rural communities. Black
1178 people are four times more likely to develop kidney failure
1179 than white people, but they are much less likely to receive a
1180 lifesaving kidney transplant.

1181 These are tragic inequities that are unacceptable.
1182 Everyone deserves an equal chance at living a full life. To
1183 achieve this most basic measure of fairness, there must be
1184 reforms to the organ procurement process. To learn that some
1185 of the issues of organ procurement and transplantation,
1186 include lifesaving organs being lost or destroyed in transit,
1187 unacceptable.

1188 That is why I was glad to see HRSA's leadership
1189 announcing the Organ Procurement Transplant Network, OPTN,
1190 modernization initiative. As our country continues to move
1191 forward at a rapid pace with new technologies becoming
1192 available every day, we owe it to our constituents to bring

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1193 our medical practices into the 21st century and save lives.

1194 The Securing the U.S. Organ Procurement and
1195 Transplantation Network Act would allow the contract for the
1196 OPTN to be competitively bid, expands the pool of entities
1197 that are eligible to compete for the contracts, and makes
1198 other reforms to the organ procurement system, such as
1199 removing the appropriations cap on the OPTN contracts.

1200 This bill complements HRSA's recently announced goal of
1201 modernizing the network. I was honored that this bill passed
1202 the Health Subcommittee with unanimous support, and I
1203 encourage my colleagues here today to support this bill.

1204 Thank you, and I yield back.

1205 *The Chair. The gentlelady yields back.

1206 Further discussion on the bill?

1207 Seeing none, the question now occurs on approving
1208 H.R. 2544. A roll call has been requested. The clerk will
1209 call the roll.

1210 *The Clerk. Mr. Burgess?

1211 *Mr. Burgess. Votes aye.

1212 *The Clerk. Mr. Burgess votes aye.

1213 Mr. Latta?

1214 *Mr. Latta. Aye.

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1215 *The Clerk. Mr. Latta votes aye.
1216 Mr. Guthrie?
1217 *Mr. Guthrie. Aye.
1218 *The Clerk. Mr. Guthrie votes aye.
1219 Mr. Griffith?
1220 *Mr. Griffith. Aye.
1221 *The Clerk. Mr. Griffith votes aye.
1222 Mr. Bilirakis?
1223 *Mr. Bilirakis. Aye.
1224 *The Clerk. Mr. Bilirakis votes aye.
1225 Mr. Johnson?
1226 *Mr. Johnson. Aye.
1227 *The Clerk. Mr. Johnson votes aye.
1228 Mr. Bucshon?
1229 *Mr. Bucshon. Aye.
1230 *The Clerk. Mr. Bucshon votes aye.
1231 Mr. Hudson?
1232 *Mr. Hudson. Aye.
1233 *The Clerk. Mr. Hudson votes aye.
1234 Mr. Walberg?
1235 [No response.]
1236 *The Clerk. Mr. Carter?

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1237 *Mr. Carter. Aye.
1238 *The Clerk. Mr. Carter votes aye.
1239 Mr. Duncan?
1240 *Mr. Duncan. Aye.
1241 *The Clerk. Mr. Duncan votes aye.
1242 Mr. Palmer?
1243 *Mr. Palmer. Aye.
1244 *The Clerk. Mr. Palmer votes aye.
1245 Mr. Dunn?
1246 *Mr. Dunn. Aye.
1247 *The Clerk. Mr. Dunn votes aye.
1248 Mr. Curtis?
1249 *Mr. Curtis. Aye.
1250 *The Clerk. Mr. Curtis votes aye.
1251 Mrs. Lesko?
1252 *Mrs. Lesko. Aye.
1253 *The Clerk. Mrs. Lesko votes aye.
1254 Mr. Pence?
1255 *Mr. Pence. Aye.
1256 *The Clerk. Mr. Pence votes aye.
1257 Mr. Crenshaw?
1258 *Mr. Crenshaw. Aye.

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1259 *The Clerk. Mr. Crenshaw votes aye.
1260 Mr. Joyce?
1261 *Mr. Joyce. Aye.
1262 *The Clerk. Mr. Joyce votes aye.
1263 Mr. Armstrong?
1264 *Mr. Armstrong. Yes.
1265 *The Clerk. Mr. Armstrong votes aye.
1266 Mr. Weber?
1267 *Mr. Weber. Aye.
1268 *The Clerk. Mr. Weber votes aye.
1269 Mr. Allen?
1270 *Mr. Allen. Aye.
1271 *The Clerk. Mr. Allen votes aye.
1272 Mr. Balderson?
1273 *Mr. Balderson. Aye.
1274 *The Clerk. Mr. Balderson votes aye.
1275 Mr. Fulcher?
1276 *Mr. Fulcher. Aye.
1277 *The Clerk. Mr. Fulcher votes aye.
1278 Mr. Pfluger?
1279 *Mr. Pfluger. Aye.
1280 *The Clerk. Mr. Pfluger votes aye.

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1281 Mrs. Harshbarger?
1282 *Mrs. Harshbarger. Aye.
1283 *The Clerk. Mrs. Harshbarger votes aye.
1284 Mrs. Miller-Meeks?
1285 *Mrs. Miller-Meeks. Aye.
1286 *The Clerk. Mrs. Miller-Meeks votes aye.
1287 Mrs. Cammack?
1288 *Mrs. Cammack. Aye.
1289 *The Clerk. Mrs. Cammack votes aye.
1290 Mr. Obernolte?
1291 [No response.]
1292 *The Clerk. Mr. Pallone?
1293 *Mr. Pallone. Aye.
1294 *The Clerk. Mr. Pallone votes aye.
1295 Ms. Eshoo?
1296 *Ms. Eshoo. Aye.
1297 *The Clerk. Ms. Eshoo votes aye.
1298 Ms. DeGette?
1299 *Ms. DeGette. Votes aye.
1300 *The Clerk. Ms. DeGette votes aye.
1301 Ms. Schakowsky?
1302 *Ms. Schakowsky. Aye.

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1303 *The Clerk. Ms. Schakowsky votes aye.

1304 Ms. Matsui?

1305 *Ms. Matsui. Aye.

1306 *The Clerk. Ms. Matsui votes aye.

1307 Ms. Castor?

1308 *Ms. Castor. Aye.

1309 *The Clerk. Ms. Castor votes aye.

1310 Mr. Sarbanes?

1311 [No response.]

1312 *The Clerk. Mr. Tonko?

1313 *Mr. Tonko. Aye.

1314 *The Clerk. Mr. Tonko votes aye.

1315 Ms. Clarke?

1316 *Ms. Clarke. Aye.

1317 *The Clerk. Ms. Clarke votes aye.

1318 Mr. Cardenas?

1319 *Mr. Cardenas. Aye.

1320 *The Clerk. Mr. Cardenas votes aye.

1321 Mr. Ruiz?

1322 *Mr. Ruiz. Aye.

1323 *The Clerk. Mr. Ruiz votes aye.

1324 Mr. Peters?

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1325 *Mr. Peters. Aye.

1326 *The Clerk. Mr. Peters votes aye.

1327 Mrs. Dingell?

1328 *Mrs. Dingell. Aye.

1329 [No response.]

1330 *The Clerk. Mr. Veasey?

1331 [No response.]

1332 *The Clerk. Ms. Kuster?

1333 *Ms. Kuster. Aye.

1334 *The Clerk. Ms. Kuster votes aye.

1335 Ms. Kelly?

1336 *Ms. Kelly. Aye.

1337 *The Clerk. Ms. Kelly votes aye.

1338 Ms. Barragan?

1339 [No response.]

1340 *The Clerk. Ms. Blunt Rochester?

1341 *Ms. Blunt Rochester. Aye.

1342 *The Clerk. Ms. Blunt Rochester votes aye.

1343 Mr. Soto?

1344 *Mr. Soto. Aye.

1345 *The Clerk. Mr. Soto votes aye.

1346 Mr. Craig? Or, excuse me, Ms. Craig?

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1347 *Ms. Craig. Aye.
1348 *The Clerk. Ms. Craig votes aye.
1349 Ms. Schrier?
1350 *Ms. Schrier. Aye.
1351 *The Clerk. Ms. Schrier votes aye.
1352 Mrs. Trahan?
1353 *Mrs. Trahan. Aye.
1354 *The Clerk. Mrs. Trahan votes aye.
1355 Mrs. Fletcher?
1356 *Mrs. Fletcher. Aye.
1357 *The Clerk. Mrs. Fletcher votes aye.
1358 Chair Rodgers?
1359 *The Chair. Aye.
1360 *The Clerk. Chair Rodgers votes aye.
1361 *Mr. Walberg. How am I recorded?
1362 *The Chair. Mr. Clerk, how is Walberg recorded?
1363 *The Clerk. Mr. Walberg is not recorded.
1364 *Mr. Walberg. Walberg votes aye.
1365 *The Clerk. Mr. Walberg votes aye.
1366 *Mr. Veasey. Veasey?
1367 *The Chair. Mr. Veasey?
1368 *The Clerk. Mr. Veasey is not recorded.

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1369 *Mr. Veasey. Aye.

1370 *The Clerk. Mr. Veasey votes aye.

1371 *The Chair. Any other members seeking to be recorded?

1372 Mr. Clerk, how is Mrs. Dingell recorded?

1373 *The Clerk. Mrs. Dingell is not recorded.

1374 *Mrs. Dingell. Votes aye.

1375 *The Clerk. Mrs. Dingell votes aye.

1376 *The Chair. The clerk will report.

1377 *The Clerk. Chair Rodgers, on that vote there were 48

1378 ayes and 0 noes.

1379 *The Chair. The ayes have it, and the bill is adopted.

1380 The chair calls up H.R. 2666, as amended by the

1381 Subcommittee on Health, and asks the clerk to report.

1382 *The Clerk. Committee Print showing the text of

1383 H.R. 2666 as favorably forwarded by the Subcommittee on

1384 Health on May 17, 2023. H.R. 2666 --

1385 [H.R. 2666 follows:]

1386

1387 *****COMMITTEE INSERT*****

1388

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1389 *The Chair. Without objection, the first reading of
1390 the bill is dispensed with, and the bill is open for
1391 amendments at any point. So ordered.

1392 Does anyone seek to be recognized on the bill?

1393 *Mr. Guthrie. I have an amendment when you are ready.

1394 *The Chair. Do you seek to be recognized on the bill?

1395 *Ms. Matsui. Yes. I just want to strike the last word.

1396 *The Chair. Okay. Ms. Matsui is recognized for five
1397 minutes to strike the last word.

1398 *Ms. Matsui. I move to strike the last word and speak
1399 on this bill. Chairman Guthrie and Ranking Member Eshoo,
1400 thank you for your work on this important issue to the rare
1401 disease community. You are both such excellent champions of
1402 rare disease policy. I am grateful for your partnership in
1403 this work.

1404 I have long worked on policies to advance the science of
1405 rare disease therapies and expand access to care. I am a
1406 strong supporter of cell and gene therapies which hold
1407 promise for so many patients with rare diseases.

1408 However, I am hesitant to support a bill that may result
1409 in unintended consequences for drug pricing. It is too early
1410 for us to tell how the rule this bill codifies will affect

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1411 state Medicaid programs and patients. We need more time for
1412 the rule to be fully implemented before we codify a policy
1413 that could have impacts beyond rare disease. For that
1414 reason, I will be voting no today, but I look forward to
1415 continuing to work on these issues with my colleagues.

1416 I yield back.

1417 *The Chair. The gentlelady yields back.

1418 The chair recognizes Dr. Joyce for five minutes to strike
1419 the last word.

1420 *Mr. Joyce. Thank you, Madam Chair.

1421 I would like to offer my support of H.R. 2666, the MVP
1422 Act, of which I was proud to be an original co-sponsor when
1423 it was introduced by Chairman Guthrie along with Ranking
1424 Member Eshoo earlier this year.

1425 I would also like to thank the committee for advancing
1426 this critical legislation here today. Gene therapies have
1427 the potential to treat, in some cases ultimately cure,
1428 genetic disorders at the root cause, providing long-term
1429 benefits and improving the quality of life for patients.

1430 Because many of these treatments are curative, the
1431 current reimbursement system fails to reflect the value of
1432 these therapies, nor does it offer states the needed

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1433 flexibility to provide adequate coverage for those under
1434 Medicaid.

1435 The bill before us today would provide regulatory
1436 certainty for every state by codifying Medicaid rules that
1437 permit multiple reporting of best prices to help states enter
1438 value-based payment arrangements to pay for the curative cell
1439 and gene therapies over time. This certainty is necessary as
1440 states enter into these long-term agreements, so that the rug
1441 can't be pulled out from under the patients who need to
1442 access these lifesaving therapies.

1443 These value-based purchasing arrangements for gene
1444 therapy products ensure that the price of gene therapy is
1445 based on its clinical outcomes and the value it provides the
1446 patients and the health care system, thus, ultimately
1447 protecting limited state Medicaid budgets.

1448 Overall, this bill is about access, and it would ensure
1449 that Medicaid patients have the same access to game-changing
1450 novel gene therapies and the long-term benefits and improved
1451 quality of life that they provide as those patients with
1452 private insurance.

1453 It is important to remember that two Administrations
1454 from different parties agree on this role, and I hope that

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1455 members on both sides of the aisle can come together on this
1456 today.

1457 I urge adoption of this important legislation and yield
1458 the balance of my time.

1459 *The Chair. The gentleman yields back.

1460 The chair recognizes the ranking member, Mr. Pallone,
1461 for five minutes to strike the last word.

1462 *Mr. Pallone. Thank you, Madam Chair. I want to
1463 express my concerns about H.R. 2666, the MVP Act. While I
1464 appreciate the sponsor's intent, I fear this bill will not
1465 lower the cost of prescription drugs and could in fact
1466 increase drug costs to state Medicaid programs and the
1467 Federal Government.

1468 And for these reasons, I can't support the bill and urge
1469 my colleagues to join me in voting no.

1470 The MVP Act would permanently codify in statute a Trump
1471 era regulation that effectively changed the definition of
1472 "best price in Medicaid," supposedly in an effort to
1473 encourage commercial insurance plans to adopt value-based
1474 payment models.

1475 As my colleagues know, the Medicaid best price policy
1476 ensures that state Medicaid programs are able to obtain

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1477 discounts on drugs equal to the best discount available on
1478 the private market.

1479 I want to make it clear at the outset that the
1480 regulation this would codify already has the full force and
1481 effect of law. If a drug manufacturer and a commercial
1482 insurance plan want to enter into a value-based arrangement
1483 today, they can. At our subcommittee markup, one of our
1484 members suggested that we wait and see how the rule is
1485 implemented, and if the concerns raised by the stakeholders
1486 play out, and I couldn't agree more.

1487 The bottom line is that this legislation, in my opinion,
1488 is a solution in search of a problem, and we should wait to
1489 see how the rule operates before codifying it permanently in
1490 statute.

1491 I want to be clear about one thing. State Medicaid
1492 programs do not need this bill to enter into value-based
1493 payment arrangements. State Medicaid programs can already do
1494 this under current law, and some states have. This bill is
1495 also not about expanding access to drugs and Medicaid. The
1496 law already requires Medicaid to cover essentially every FDA-
1497 approved drug.

1498 If an innovative new therapy comes to market, you can be

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1499 assured that Medicaid will cover it and can even enter into a
1500 value-based payment arrangement to cover it, even without
1501 this legislation or the Trump regulation that it would
1502 codify.

1503 Instead, what this bill does is blow a hole -- a giant
1504 hole -- in Medicaid best price and raises drug costs to the
1505 Medicaid program. The bipartisan National Association of
1506 Medicaid Directors said that the policy "would greatly favor
1507 drug manufacturers over states, undermine best price
1508 protections that ensure the sustainability of Medicaid
1509 pharmacy budgets, and place a substantial strain on state
1510 administrative resources."

1511 Similarly, the non-partisan Medicaid and CHIP Payment
1512 and Access Commission, or MACPAC, said the policy is "of
1513 questionable benefit to Medicaid'" and expressed concerns
1514 that the policy could create a loophole such that the primary
1515 purpose drug manufacturers may enter into these payment
1516 models would be to lower their Medicaid drug rebates.

1517 And the Georgetown University Center on Children and
1518 Families called the policy seriously flawed and said that the
1519 policy would essentially gut best price.

1520 At the subcommittee markup, it was suggested that the

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1521 final rule address most of these concerns, but unfortunately
1522 that is not the case. MACPAC said in technical comments on
1523 the bill, "While the final rule did make some changes, most
1524 of our comments and concerns still apply."

1525 Similarly, the National Association of Medicaid
1526 Directors have communicated that they remain concerned about
1527 the CMS rule that this bill would codify.

1528 So the supporters of this legislation claim that states
1529 will be able to benefit from these arrangements, because drug
1530 companies will have to offer them to Medicaid. In theory,
1531 that may sound good on paper, but the reality is that state
1532 Medicaid programs do not have the resources to implement or
1533 administer these payment models.

1534 National Association of Medicaid Directors and MACPAC
1535 both cited the incredible administrative burden with MACPAC
1536 going as far as to say that, "It is hard to see how states
1537 could possibly track patient outcomes in the manner necessary
1538 to implement these payment models."

1539 The reality is that most states simply will not be able
1540 to implement these payment arrangements. The bottom line is
1541 that this policy could substantially shift costs to states
1542 and the Federal Government and undermine Medicaid's best

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1543 price protections without providing any real benefit to the
1544 Medicaid program.

1545 Now, given these comments, I am deeply concerned that
1546 the regulation could weaken Medicaid best price protections
1547 and increase costs for states and the Federal Government. I
1548 do not think we should double down on the problematic
1549 approach of the Trump era regulation by permanently codifying
1550 it in federal law. In fact, I plan to encourage the Biden
1551 Administration against repealing this regulation.

1552 Ultimately, the reason that big pharma wants this bill
1553 to pass is because they are playing a one-sided game, in my
1554 opinion with a stacked deck. They will come out ahead in
1555 these arrangements and state Medicaid agencies, taxpayers,
1556 and consumers will be left holding the bag.

1557 And there is no magic here that will somehow magically
1558 reduce drug costs. There is only big pharma taking a bigger
1559 share of the pie.

1560 So I appreciate my colleague's efforts, but I am afraid
1561 that this is not the right approach. I can't support the
1562 bill and would urge members to join me in voting no.

1563 And with that, Madam Chair, I yield back.

1564 *The Chair. The gentleman yields back.

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1565 Further discussion? Mr. Guthrie is recognized for five
1566 minutes to strike the last word.

1567 *Mr. Guthrie. Thank you. Thank you, Madam Chair. We
1568 worked hard with my good friend, Ranking Member Eshoo, to
1569 address the concerns that have just been brought up. And so
1570 before people vote against having Medicaid programs provide
1571 lifesaving treatments to the poorest of Americans, I want to
1572 make sure they have the most current information on what this
1573 bill does.

1574 One, you hear a criticism -- so this is what we are
1575 doing. We are allowing Medicaid programs, which 40 percent
1576 of Kentuckians are on, so we are -- talk about drug price,
1577 and this is as a manufacturer, just drug pricing. What we
1578 are talking about is therapies, cell editing, CAR-T
1579 therapies.

1580 They are not just what is produced by drug companies and
1581 sold with prescriptions. These are therapies that people
1582 have access to. These are therapies that cure sickle cell by
1583 going in and editing someone's gene, and it requires a bone
1584 marrow transplant. These are the type things that we are
1585 talking about, not just there is some high drug out there to
1586 deal with.

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1587 And so how do Medicaid programs who have hundreds of
1588 thousands of dollars in expenses, and they have annual
1589 budgets, deal with these over time? That is what we are
1590 trying to solve. We are trying to make sure the poorest of
1591 us have access to these wonderful therapies that are coming
1592 out. And so that is what we are trying to solve, and so we
1593 are going on old information that we worked on to fix.

1594 One is that people say, "Well, why codify this now
1595 because it is already in the rule?" Well, one, I think
1596 Congress ought to make its statement that we want people, the
1597 poorest of us, to have access to these treatments. I think
1598 we should make that statement and codify it, because these
1599 value-based agreements can take years to develop.

1600 And we all know we had a hearing on energy yesterday
1601 when somebody was concerned about the regulatory uncertainty
1602 that goes on. We can put certainty into this now, and it is
1603 important to do so.

1604 And on the argument that it is going to be a giveaway to
1605 drug companies, the CMS has put forth -- I think the comment
1606 from the Medicaid drug administrators comes from 2020. And
1607 under the Biden Administration they put into the rule that we
1608 have incorporated into the law fixes to what was just

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1609 commented.

1610 So before people vote no based on 2020 information and
1611 denying people and Medicaid access to these treatments, they
1612 need to know that that was fixed by the Biden Administration.
1613 It is in this bill before us, and it ensures that state
1614 Medicaid programs still get a discount on all drugs. The
1615 rule -- the legislation requires manufacturers to submit
1616 value-based best price as well as non-value-based best
1617 prices, and states have the decision whether to enter into
1618 these or not.

1619 So I used to be in state government. A lot of us here
1620 used to be in state government. You know that most states
1621 have to balance their budget. We know the State of
1622 Massachusetts' Medicaid program is limiting the up end of
1623 what they pay for Medicaid. I think -- and I could be
1624 corrected, but I think it is \$100,000 in some treatment.

1625 Like I said, to cure sickle cell, you literally edit the
1626 gene that causes sickle cell. And it is my understanding --
1627 if I understand metascience -- it requires a bone marrow
1628 transplant. But the people who have gone through this have
1629 no symptoms. They are cured. They are absolutely cured of
1630 this.

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1631 And so we are not just talking about drug manufacturers
1632 putting out drug prices and keeping their label and trying to
1633 prevent generics from coming to the marketplace. That is not
1634 what we are talking about here. We are talking about -- I
1635 don't know how much that kind of program would cost. Let's
1636 say it costs a half a million dollars, somebody who lives a
1637 full life without sickle cell, but state Medicaid programs
1638 have to balance the costs and make it balance.

1639 What we are saying is instead of paying -- I am making
1640 up this number, say it is 500,000. Instead of paying
1641 \$500,000 for this case, for this human being to have a better
1642 life, this year we are going to spread it out over 10 years,
1643 so we will pay \$100,000 over 10 years.

1644 And talking about giveaway to big pharma, the people who
1645 sign these agreements, the states can say, "If we don't get
1646 the treatment, if the person is not cured," and we are not
1647 paying -- we have to pay 50, 60, \$70,000 a year for them like
1648 we have been, then we don't pay for the drug. And so there
1649 is skin in the game from all sides,

1650 But the bottom line is where Congress is making a
1651 statement today, this committee, and addressing the issues
1652 that were raised were real issues raised by some of my

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1653 friends, have been addressed, so Congress is making this
1654 committee, to the poorest of us, those who are on Medicaid,
1655 have access to these lifesaving, lifechanging, wonderful
1656 therapies that are coming down the pike, and that is an
1657 opportunity that we are going to have to vote on in just a
1658 few minutes.

1659 And if there is any concern, I know that if you want to
1660 ask the ranking member, she can certainly walk you through
1661 how we fixed the issues that had been raised before.

1662 So before you vote on this, make sure you are not
1663 operating on 2020 information. Make sure you are operating
1664 on 2023 information. I would just encourage you to do that.

1665 I yield back.

1666 *Mr. Pallone. Would the gentleman just yield one --

1667 *Mr. Guthrie. I will yield.

1668 *Mr. Pallone. I just wanted to enter into the record
1669 the comments that MACPAC made where they say, "While the
1670 final rule does make some changes, most of our comments and
1671 concerns still apply.'" And they go on in this document to
1672 explain why they are still opposed.

1673 If I could ask unanimous consent --

1674 *The Chair. Without objection, so ordered.

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1675 [The information follows:]

1676

1677 *****COMMITTEE INSERT*****

1678

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1679 *Mr. Pallone. Thank you, Madam Chair.

1680 *The Chair. The gentleman yields back.

1681 The chair recognizes Mr. Ruiz for five minutes to strike
1682 the last word.

1683 Oh. Mr. Peters?

1684 Oh. Ms. Eshoo. Ms. Eshoo, ranking member on Health, is
1685 recognized for five minutes.

1686 *Ms. Eshoo. Thank you. Thank you, Madam Chairwoman. I
1687 seek recognition to strike the last word on 2666.

1688 First of all, I think that members really have to think
1689 this through. This is to bring these services that are
1690 really miracles for people up to date 2023. If this were all
1691 the awful things that our ranking member has described, the
1692 Administration would be opposed to it. They are not. The
1693 Administration has kept the policy and continued implementing
1694 it.

1695 A lot of words thrown around about MACPAC and NAMD.
1696 They have not taken an official position on this bill. This
1697 bill expands patient access to new cell and gene therapies
1698 that have the potential to treat or even cure, as has been
1699 said, diseases such as sickle cell disease, hemophilia,
1700 cancer, type 1 diabetes. These are killers. These are

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1701 killers. And we have a responsibility to move the needle.

1702 It does this by updating. It is updating the current
1703 30-year-old Medicaid rules to allow for this new value-based
1704 payment arrangement. And under these arrangements, if a
1705 promised cure doesn't work for a particular patient, then
1706 drug companies have to pay a refund. Boy, is that menacing.
1707 Huh? That is really deeply disturbing. On the Democratic
1708 side, that is disturbing to you?

1709 But that zero price can distort how Medicaid payments
1710 are calculated. So the bill addresses that distortion to
1711 make it easier for Medicaid enrollees and privately-insured
1712 patients to access the new treatments. It has been argued
1713 that this bill is unneeded because rulemaking already has the
1714 force of law.

1715 First, while the bill codifies the new CMS authority, it
1716 also improves it. The law adjusts the calculation -- this
1717 gets a little hairy if you don't want to get into the weeds,
1718 but some of the weeds are really important. It adjusts the
1719 calculation of average manufacturer price and average sales
1720 price to make sure the measures are not incorrectly lowered
1721 by value-based agreements.

1722 These changes make sure that state Medicaid plans get a

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1723 higher minimum rebate and doctors are actually reimbursed for
1724 providing the drug under Part B.

1725 I have been around here for a long time and have served
1726 on this subcommittee since my second term. Majority,
1727 minority, I have never done anything that was injurious to
1728 anyone enrolled in Medicaid. Protected, expanded, research,
1729 development, you name it, I have been there.

1730 So I think that the work that we have done on this
1731 really captures what we want the future to be. And to make
1732 it available, Medicaid recipients, you all know, are the
1733 poorest of the poor in our country. This is not for the
1734 upper crust of my district in Silicon Valley.

1735 I think that we have taken every step that we could take
1736 to make this strong, to make it fair, and to update. I think
1737 that it is exciting. I don't find the future menacing. I
1738 think something that has been around for 30 years we should
1739 at least take a look at and work to bring it up to the 21st
1740 century.

1741 So I am proud of our work product. The Biden
1742 Administration continued the Medicaid changes to allow for
1743 more value-based payment arrangements that are included in
1744 this bill. Again, Democrats, the Biden Administration is not

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1745 opposed to this. So I don't know why we are -- some here at
1746 the committee.

1747 These value-based payments are voluntary. Did you know
1748 that? Did you maybe read it last night to prepare for this?
1749 If they are not a good deal, or too burdensome, then
1750 commercial payers can insist on traditional discounts in
1751 exchange for coverage.

1752 So I think wherever there is each side of the coin, we
1753 have accommodated, made accommodations for that, but also
1754 very importantly to capture the future, so that these
1755 treatments for the poorest of the poor in our country, that
1756 they, too, have a chance for life and for a cure. And that
1757 is really the guiding principle to this legislation.

1758 So, colleagues, I am proud to be a part of this effort.
1759 I think it is an important one, and I hope that you will
1760 support it.

1761 As the Administrator of CMS said, they are very
1762 interested -- CMS -- in helping states pursue outcome-based
1763 options for Medicaid.

1764 *The Chair. The gentlelady's time has expired.

1765 *Ms. Eshoo. I yield back.

1766 *The Chair. The gentlelady yields back.

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1767 Is there further discussion on the bill?

1768 The gentleman from California, Mr. Peters, is recognized
1769 for five minutes to strike the last word.

1770 *Mr. Peters. Thank you, Madam Chair. Rapid
1771 advancements in medical science have brought us
1772 groundbreaking treatments like cell and gene therapies, and
1773 these therapies have the potential to cure conditions once
1774 deemed incurable, like cancers and genetic disease.

1775 But what good are these medical breakthroughs if the
1776 most vulnerable patients among us cannot access or afford
1777 them? Medicaid beneficiaries should not be deprived of the
1778 life-changing possibilities that these therapies offer.

1779 The MVP Act would allow states to enter value-based
1780 purchasing agreements. You get what you pay for. If you
1781 don't get it, you don't pay for it. And this will help
1782 Medicaid recipients gain access to the cutting edge
1783 treatments based on their efficacy rather than the patient's
1784 ability to foot the bill.

1785 By embracing value-based purchasing agreements we can
1786 align the incentives of industry and Medicaid programs,
1787 ensuring that Medicaid patients can access the most effective
1788 treatments at a fair price. So I urge my colleagues to join

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1789 me, Chairman Guthrie, and Ranking Member Eshoo in voting to
1790 pass this bill and expand access to lifesaving treatments for
1791 low-income Americans who need them the most.

1792 Thank you, Madam Chair. I yield back.

1793 *The Chair. The gentleman yields back.

1794 Further discussion on the bill?

1795 Are there bipartisan amendments to the bill?

1796 Are there other amendments?

1797 *Mr. Guthrie. Madam Chair, I have an amendment at the
1798 desk.

1799 *The Chair. The gentleman, Mr. Guthrie, has an
1800 amendment at the desk. The clerk will report.

1801 *The Clerk. Amendment in the nature of a substitute to
1802 H.R. 2666 offered by Mr. Guthrie. Strike all after the
1803 enacting clause and insert the following --

1804 [The Amendment offered by Mr. Guthrie follows:]

1805

1806 *****COMMITTEE INSERT*****

1807

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1808 *The Chair. Without objection, the reading of the
1809 amendment is dispensed with.

1810 The gentleman is recognized for five minutes in support
1811 of his amendment.

1812 *Mr. Guthrie. Thank you, Madam Chair. I know I
1813 probably got a little vocal on the last -- the last time I
1814 spoke, but this is a passion for me. It absolutely is.

1815 I think every single one of us have just company after
1816 company coming forward. And they are not big. They are not
1817 typically the ones that are brand-name pharmaceutical
1818 companies. They are little startup and bio startups, a lot
1819 of them in Massachusetts and San Francisco and all of the
1820 surrounding areas that are talking about these wonders of
1821 science that they are bringing forward.

1822 And I remember the first -- I had a friend growing up
1823 that had sickle cell, and that really struck me, that -- and
1824 as you hear the things that they can do, the first thing you
1825 -- one of the things -- the first thing you think of is how
1826 it is going to change people's lives, but you can't help but
1827 think of, wow, there is all of these miracles coming down the
1828 path, how are we going to afford to pay for it?

1829 And when the first discussion of value-based agreements

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1830 was brought to me, it was a company that does hemophilia,
1831 that they have people that they feel they can cure certain --
1832 you know, genetics are all different and there are certain
1833 people with certain genetic types that they can actually
1834 cure. And I remember getting excited about it, and it turned
1835 out that Markwayne Mullin, our friend who is a Senator
1836 working with Kurt Shrader, were already working on this bill,
1837 and I didn't want to wrestle Markwayne to get the lead
1838 sponsorship for it.

1839 But when he went to the Senate, it was an opportunity to
1840 do exactly what I was sitting here listening -- how do you --
1841 you hear these things coming down the pike, and it is not
1842 just how is Medicare going to pay for it? How is Medicaid
1843 going to pay for it? How is the private sector going to pay
1844 for it?

1845 But, my goodness, we certainly want CAR-T therapies. We
1846 saw what happened with some of the research that brought the
1847 vaccine on as quickly as it did. And so medical research is
1848 important, and we don't get the products that we want if they
1849 are -- they just don't produce them for free. And how do we
1850 get these?

1851 And so I talked previously about it. This is an

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1852 amendment in the nature of a substitute to make technical
1853 corrections. I would just say that some thinktanks downtown
1854 think this is bad. I think all of us need to look at it
1855 ourselves and go on the current information, what the current
1856 bill does.

1857 And I know it was supported by the Trump Administration.
1858 That has been brought up -- a Trump era rule. This is
1859 actually a Biden era rule as well, and with improvements that
1860 CMS has made. We had to testify -- the CMS Administrator
1861 here -- is for this.

1862 And so if I would have thought a bill -- if somebody had
1863 come to me and said, "We are going to have a bill that is
1864 going to set up a way for Medicaid to pay for people to get
1865 access to these miracle treatments," I would have thought
1866 that would have been a 435 to nothing bill. And it is
1867 disappointing that it appears it is not going to be.

1868 I am passionate about it, as you can see. I can't wait
1869 until the day to see people that had sickle cell walk around
1870 and say, "Boy, I have never felt better in my life," and
1871 that is coming. The technology is actually there. We have
1872 just got to make it available to people, and this bill does
1873 that. This amendment is technical corrections. I encourage

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1874 it is passed.

1875 And if no one wants my time, I will yield back.

1876 *The Chair. The gentleman yields back.

1877 Discussion on the amendment? Do you want to speak on
1878 the amendment?

1879 Seeing no further discussion, the vote occurs on the
1880 amendment.

1881 All those in favor -- further discussion? I am sorry.
1882 Oh, she has an amendment, too. You have an amendment. Okay.

1883 The gentlelady from California is recognized for her
1884 amendment.

1885 *Ms. Eshoo. Thank you, Madam Chairwoman.

1886 *The Chair. Hold on. The clerk will report.

1887 *Ms. Eshoo. I seek recognition because I have an
1888 amendment at the desk. It is numbered 01.

1889 *The Chair. The lady is recognized for five minutes.

1890 The clerk will report -- the clerk will report the
1891 amendment.

1892 *The Clerk. Amendment to the amendment in the nature of
1893 a substitute to H.R. 2666 offered by Ms. Eshoo.

1894 [The Amendment offered by Ms. Eshoo follows:]

1895

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1896 *****COMMITTEE INSERT*****

1897

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1898 *The Chair. Okay. The clerk will suspend with the
1899 reading.

1900 The lady from California, Ms. Eshoo --

1901 *Ms. Eshoo. Thank you, Madam Chairwoman.

1902 *The Chair. -- is recognized for five minutes in support
1903 of her amendment.

1904 *Ms. Eshoo. Thank you, Madam Chairwoman. This
1905 amendment -- take a deep breath -- it is not a heavy lift.
1906 This amendment makes technical changes at CMS's request to
1907 clarify their rulemaking authority for the calculation of
1908 average manufacturer price and clarifies which discounts from
1909 value-based payments should not be counted in the calculation
1910 of average sale price. And that is it.

1911 *Mr. Guthrie. Madam Chair, would the ranking member
1912 yield to a question?

1913 *Ms. Eshoo. I would be happy to.

1914 *Mr. Guthrie. Does this amendment address what has been
1915 discussed earlier? I believe it does -- that people can't
1916 use fraud and abuse in terms of gaming the price, so it
1917 addresses some of the concerns from the 2020 -- I believe
1918 that is accurate; is it not? It does address some --

1919 *Ms. Eshoo. It allows that, yeah.

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1920 *Mr. Guthrie. -- concerns that have been raised.

1921 *Ms. Eshoo. It allows CMS to continue rulemaking.

1922 *Mr. Guthrie. So the adoption of this amendment allows
1923 them to continue, so people can feel free that if they had
1924 concerns coming into this meeting they were being addressed
1925 with your amendment. I just wanted to see if that is
1926 clarified.

1927 I yield back to the gentlelady from California.

1928 *Ms. Eshoo. And I yield back.

1929 *Mr. Pallone. Would the gentlewoman yield just --

1930 *Ms. Eshoo. I would be glad to.

1931 *Mr. Pallone. I am not commenting on the amendment to
1932 the AINS and the AINS itself. But I just wanted to point out
1933 that as my colleagues have said, the current rule allows for
1934 what they are suggesting. But what we are doing -- I hope
1935 everyone understands -- is making that rule permanent.

1936 And the problem with that is that I think the jury is
1937 still out as to whether or not this is a good idea, and that
1938 is why MACPAC and all of these other Medicaid organizations
1939 are concerned, because what we feel -- and I think the Biden
1940 Administration feels the same way, and even the CMS
1941 Administrator feels the same way -- is that let's let this

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1942 rule play out and see whether or not it does have a damaging
1943 effect on Medicaid and the administration of Medicaid, and
1944 the cost to Medicaid, rather than making it permanent now
1945 when we don't know what the final result will be.

1946 So I just want everyone to understand that -- and,
1947 again, I don't want to put words --

1948 *Ms. Eshoo. Yeah. I want to reclaim my time.

1949 *Mr. Pallone. Sure.

1950 *Ms. Eshoo. It is not unusual to codify a rule in order
1951 to improve upon it and provide certainty around the
1952 authority.

1953 In fact, during the same markup today, right here, we
1954 are codifying two other rules that were originally published
1955 by the Trump Administration, the Hospital Price Transparency
1956 Rule and Insurance Transparency Rule.

1957 So, you know, we keep going around and around on this.
1958 You know, this is uncomfortable on the Democratic side, and I
1959 just want to say the following to my colleagues. Go with the
1960 substance. This is not whether you choose Frank or me. You
1961 are not hurting my feelings. This is serious business here
1962 about Medicaid beneficiaries and what they can benefit from.
1963 And that is why I am on this. That is why I worked on it. I

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1964 believe in it.

1965 I yield back --

1966 *Mr. Guthrie. Will you yield to another question?

1967 *Ms. Eshoo. -- Madam Chairwoman. What?

1968 *Mr. Guthrie. Will you yield to another question?

1969 *Ms. Eshoo. Sure.

1970 *Mr. Pallone. Well, I am --

1971 *Ms. Eshoo. Do I have time?

1972 *Mr. Guthrie. Oh, it is your time. I am sorry. I
1973 thought it was her time.

1974 *Ms. Eshoo. It is my time. Isn't it my time?

1975 *The Chair. Yes. It is Eshoo's time.

1976 *Mr. Guthrie. Okay. I just wanted -- so in the rule it
1977 doesn't deal with average sale price, and CMS worked with us
1978 to put into this bill to deal with the way this affects
1979 average sell price, so it can't be gamed, so people could pay
1980 more for Medicare even in the commercial sectors, is my
1981 understanding. And that is not in the rule, and CMS has
1982 issued some guidance on it, but my understanding is they
1983 worked with this committee to make sure we had the authority
1984 -- that they had the authority to make sure it is not gamed.

1985 So we are codifying the rule, but we are also adding a

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1986 correction that CMS has asked for in this.

1987 *Ms. Eshoo. That is what my amendment did.

1988 And with that, I yield back.

1989 *The Chair. The gentlelady yields back.

1990 Further discussion on the amendment?

1991 *Mr. Sarbanes. Madam Chair?

1992 *The Chair. The gentleman is recognized --

1993 *Mr. Sarbanes. Move to strike the last word.

1994 *The Chair. -- for five minutes to strike the word.

1995 *Mr. Sarbanes. I yield to Representative Pallone.

1996 *Mr. Pallone. Thank you. I just want to -- again, I

1997 mean, I don't know, maybe we have just belabored this so long

1998 that there is no point of kind of keep saying the same thing.

1999 But I just want everyone to understand that the Biden

2000 Administration, CMS, are not saying that they don't like this

2001 current rule. They are simply saying let's see how it plays

2002 out, right?

2003 The idea that somehow, you know, we are going to -- the

2004 new therapies aren't going to be covered, I mean, the law

2005 already requires Medicaid to cover essentially every FDA-

2006 approved drug. So if an innovative new therapy comes to

2007 market, then Medicaid will likely cover it and can even enter

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2008 into a value-based payment arrangement to cover it, even
2009 without this legislation or the Trump regulation to codify.

2010 I mean, I think the reason why you are getting these
2011 various Medicaid organizations and leaders and MACPAC to
2012 express the concern is because they would like to see how
2013 this plays out rather than us codifying it now.

2014 And I understand there is some change here that the
2015 ranking member of the Health Subcommittee has pointed out
2016 will be added to the existing rule. I am not arguing with
2017 that. But I think the problem is that once this becomes
2018 permanent, then as we find -- and we could likely find --
2019 based on these concerns by the Medicaid organizations that
2020 this was not a good thing, and this is costing them money,
2021 and this is not helping them with their bottom line, that
2022 then it is now law and it can't be changed by regulation.

2023 Again, as Ms. Eshoo said, I don't -- you know, I don't
2024 want to act as if this is, you know, such a big thing, but I
2025 do think that it makes more sense to let this play out with
2026 the concerns that have been expressed by a lot of these
2027 Medicaid organizations rather than just making a permanent --

2028 *Ms. Eshoo. Would the gentleman yield?

2029 *Mr. Pallone. -- at this time. Sure.

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2030 *Ms. Eshoo. Well, why is the Administration for it,
2031 then?

2032 *Mr. Pallone. Well, the Administration --

2033 *Ms. Eshoo. They are not opposed to it. They are for
2034 it.

2035 *Mr. Pallone. -- Administration hasn't --

2036 *Ms. Eshoo. The CMS Administrator --

2037 *Mr. Pallone. Right. But neither -- look, again, I
2038 don't know how much you want to play this out -- I reclaim my
2039 time -- but neither the CMS Administrator -- I mean, I was
2040 here -- nor the Administration has said that they want this
2041 made permanent. They have only said that they like the rule
2042 the way it is, and they want to see it play out. They have
2043 never said that they want to -- they never said that they
2044 wanted us to codify it as a manner of statute. And, you
2045 know, we have asked them that, and they haven't said that
2046 that is what they want to do.

2047 But, again, I don't want to keep playing out this thing.
2048 I mean, I know everybody is well intentioned here. But I
2049 just wanted to, you know, clarify a little more maybe, you
2050 know, what the differences are between us here.

2051 And with that, I would yield back to the gentleman from

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2052 Maryland.

2053 *Mr. Sarbanes. And I yield back. Thank you.

2054 *The Chair. The gentleman yields back.

2055 Is there further discussion on the amendment?

2056 Seeing none, the vote occurs on the Eshoo amendment.

2057 All those in favor, say aye.

2058 All those opposed, nay.

2059 The ayes have it. The amendment is agreed to.

2060 Are there further amendments?

2061 Seeing none, the vote occurs on H.R. 2666, as amended --

2062 no, on the AINS, on the amendment in the nature of a

2063 substitute.

2064 All those in favor, say aye.

2065 Those opposed, nay.

2066 The ayes have it. The AINS is adopted.

2067 Now the vote occurs on approving H.R. 2666, as amended.

2068 A roll call has been requested. The clerk will call the

2069 roll.

2070 *The Clerk. Mr. Burgess?

2071 *Mr. Burgess. Burgess votes aye.

2072 *The Clerk. Mr. Burgess votes aye.

2073 Mr. Latta?

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2074 [No response.]
2075 *The Clerk. Mr. Guthrie?
2076 *Mr. Guthrie. Aye.
2077 *The Clerk. Mr. Guthrie votes aye.
2078 Mr. Griffith?
2079 *Mr. Griffith. Aye.
2080 *The Clerk. Mr. Griffith votes aye.
2081 Mr. Bilirakis?
2082 *Mr. Bilirakis. Aye.
2083 *The Clerk. Mr. Bilirakis votes aye.
2084 Mr. Johnson?
2085 *Mr. Johnson. Aye.
2086 *The Clerk. Mr. Johnson votes aye.
2087 Mr. Bucshon?
2088 *Mr. Bucshon. Aye.
2089 *The Clerk. Mr. Bucshon votes aye.
2090 Mr. Hudson?
2091 *Mr. Hudson. Aye.
2092 *The Clerk. Mr. Hudson votes aye.
2093 Mr. Walberg?
2094 *Mr. Walberg. Aye.
2095 *The Clerk. Mr. Walberg votes aye.

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2096 Mr. Carter?

2097 *Mr. Carter. Aye.

2098 *The Clerk. Mr. Carter votes aye.

2099 Mr. Duncan?

2100 *Mr. Duncan. Aye.

2101 *The Clerk. Mr. Duncan votes aye.

2102 Mr. Palmer?

2103 [No response.]

2104 *The Clerk. Mr. Dunn?

2105 *Mr. Dunn. Aye.

2106 *The Clerk. Mr. Dunn votes aye.

2107 Mr. Curtis?

2108 *Mr. Curtis. Aye.

2109 *The Clerk. Mr. Curtis votes aye.

2110 Mrs. Lesko?

2111 *Mrs. Lesko. Aye.

2112 *The Clerk. Mrs. Lesko votes aye.

2113 Mr. Pence?

2114 *Mr. Pence. Aye.

2115 *The Clerk. Mr. Pence votes aye.

2116 Mr. Crenshaw?

2117 *Mr. Crenshaw. Aye.

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2118 *The Clerk. Mr. Crenshaw votes aye.

2119 Mr. Joyce?

2120 *Mr. Joyce. Aye.

2121 *The Clerk. Mr. Joyce votes aye.

2122 Mr. Armstrong?

2123 *Mr. Armstrong. Yes.

2124 *The Clerk. Mr. Armstrong votes aye.

2125 Mr. Weber?

2126 *Mr. Weber. Aye.

2127 *The Clerk. Mr. Weber votes aye.

2128 Mr. Allen?

2129 *Mr. Allen. Aye.

2130 *The Clerk. Mr. Allen votes aye.

2131 Mr. Balderson?

2132 *Mr. Balderson. Aye.

2133 *The Clerk. Mr. Balderson votes aye.

2134 Mr. Fulcher?

2135 *Mr. Fulcher. Aye.

2136 *The Clerk. Mr. Fulcher votes aye.

2137 Mr. Pfluger?

2138 *Mr. Pfluger. Aye.

2139 *The Clerk. Mr. Pfluger votes aye.

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2140 Mrs. Harshbarger?

2141 *Mrs. Harshbarger. Aye.

2142 *The Clerk. Mrs. Harshbarger votes aye.

2143 Mrs. Miller-Meeks?

2144 *Mrs. Miller-Meeks. Aye.

2145 *The Clerk. Mrs. Miller-Meeks votes aye.

2146 Mrs. Cammack?

2147 *Mrs. Cammack. Aye.

2148 *The Clerk. Mrs. Cammack votes aye.

2149 Mr. Obernolte?

2150 [No response.]

2151 *The Clerk. Mr. Pallone?

2152 *Mr. Pallone. No.

2153 *The Clerk. Mr. Pallone votes no.

2154 Ms. Eshoo?

2155 *Ms. Eshoo. Aye.

2156 *The Clerk. Ms. Eshoo votes aye.

2157 Ms. DeGette?

2158 [No response.]

2159 *The Clerk. Ms. Schakowsky? Ms. Schakowsky?

2160 *Ms. Schakowsky. No.

2161 *The Clerk. Ms. Schakowsky votes no.

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2162 Ms. Matsui?
2163 *Ms. Matsui. No.
2164 *The Clerk. Ms. Matsui votes no.
2165 Ms. Castor?
2166 *Ms. Castor. No.
2167 *The Clerk. Ms. Castor votes no.
2168 Mr. Sarbanes?
2169 *Mr. Sarbanes. No.
2170 *The Clerk. Mr. Sarbanes votes no.
2171 Mr. Tonko?
2172 *Mr. Tonko. No.
2173 *The Clerk. Mr. Tonko votes no.
2174 Ms. Clarke?
2175 *Ms. Clarke. No.
2176 *The Clerk. Ms. Clarke votes no.
2177 Mr. Cardenas?
2178 *Mr. Cardenas. Yes.
2179 *The Clerk. Mr. Cardenas votes aye.
2180 Mr. Ruiz?
2181 *Mr. Ruiz. No.
2182 *The Clerk. Mr. Ruiz votes no.
2183 Mr. Peters?

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2184 *Mr. Peters. Aye.

2185 *The Clerk. Mr. Peters votes aye.

2186 Mrs. Dingell?

2187 *Mrs. Dingell. No.

2188 *The Clerk. Mrs. Dingell votes no.

2189 Mr. Veasey?

2190 *Mr. Veasey. No.

2191 *The Clerk. Mr. Veasey votes no.

2192 Ms. Kuster?

2193 *Ms. Kuster. No.

2194 *The Clerk. Ms. Kuster votes no.

2195 Ms. Kelly?

2196 *Ms. Kelly. No.

2197 *The Clerk. Ms. Kelly votes no.

2198 Ms. Barragan?

2199 *Ms. Barragan. No.

2200 *The Clerk. Ms. Barragan votes no.

2201 Ms. Blunt Rochester?

2202 *Ms. Blunt Rochester. No.

2203 *The Clerk. Ms. Blunt Rochester votes no.

2204 Mr. Soto?

2205 *Mr. Soto. No.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2206 *The Clerk. Mr. Soto votes no.
2207 Ms. Craig?
2208 *Ms. Craig. No.
2209 *The Clerk. Ms. Craig votes no.
2210 Ms. Schrier?
2211 *Ms. Schrier. No.
2212 *The Clerk. Ms. Schrier votes no.
2213 Mrs. Trahan?
2214 *Mrs. Trahan. No.
2215 *The Clerk. Mrs. Trahan votes no.
2216 Mrs. Fletcher?
2217 *Mrs. Fletcher. No.
2218 *The Clerk. Mrs. Fletcher votes no.
2219 Chair Rodgers?
2220 *The Chair. Aye.
2221 *The Clerk. Chair Rodgers votes aye.
2222 *The Chair. Mr. Clerk, how is Mr. Latta recorded?
2223 *The Clerk. Mr. Latta is not recorded.
2224 *Mr. Latta. Latta votes aye.
2225 *The Clerk. Mr. Latta votes aye.
2226 *The Chair. Mr. Palmer?
2227 *The Clerk. Mr. Palmer is not recorded.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2228 *Mr. Palmer. Palmer votes aye.

2229 *The Clerk. Mr. Palmer votes aye.

2230 *The Chair. Any other members seeking to be recorded?

2231 The clerk will report.

2232 *The Clerk. Chair Rodgers, on that vote there were 31

2233 ayes and 19 noes.

2234 *The Chair. The ayes have it. The bill is adopted.

2235 The chair calls up H.R. 3284 and asks the clerk to

2236 report.

2237 *The Clerk. H.R. 3284, a bill to require the Secretary

2238 of Health and Human Services to submit an annual report on

2239 the impact of certain Medicare --

2240 [H.R. 3284 follows:]

2241

2242 *****COMMITTEE INSERT*****

2243

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2244 *The Chair. Without objection, the first reading of
2245 the bill is dispensed with, and the bill will be open for
2246 amendment at any point. So ordered.

2247 Does anyone seek to be recognized on the bill? The
2248 gentleman from Texas, Mr. Burgess, is recognized for five
2249 minutes to strike the last word.

2250 *Mr. Burgess. I actually have an amendment.

2251 *The Chair. Oh. Okay. Does anyone -- okay. Does
2252 anyone want to strike the last word before we move to
2253 amendments?

2254 Okay. The gentleman from Texas, Dr. Burgess' amendment.
2255 The clerk will report.

2256 *The Clerk. Amendment in the nature of a substitute to
2257 H.R. 3284 offered by Mr. Burgess.

2258 [The Amendment offered by Mr. Burgess follows:]

2259

2260 *****COMMITTEE INSERT*****

2261

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2262 *The Chair. Without objection, the reading of the
2263 amendment is dispensed with. Dr. Burgess is recognized
2264 for five minutes in support of his amendment.

2265 *Mr. Burgess. I thank the chair. This is truly an
2266 amendment in the nature of a substitute for some -- to
2267 incorporate some technical assistance we have received from
2268 CMS following the subcommittee markup.

2269 The basic bill, the COMPETE Act, is -- will require the
2270 Secretary to consider within the annual rulemaking process
2271 the effective regulatory changes to certain Medicare payment
2272 systems on provider and payer consolidation. So this came
2273 out of our hearing on consolidation, and this bill does take
2274 a step in the direction to examine and eliminate
2275 anti-competitive practices in our health care system.

2276 And I will yield back.

2277 *The Chair. The gentleman yields back.

2278 Further discussion? The lady from Michigan,
2279 Mrs. Dingell, is recognized for five minutes on the amendment.

2280 *Mrs. Dingell. Madam Chairwoman, I move to strike the
2281 last word and speak in support of the AINS.

2282 *The Chair. The lady is recognized for five minutes in
2283 support of the AINS.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2284 *Mrs. Dingell. Thank you, Madam Chairman and Ranking
2285 Member Eshoo, for including the Providers and Payers COMPETE
2286 Act to today's full committee markup.

2287 As health care costs continue to rise, this legislation
2288 comes at a critical moment. A wide body of research has
2289 indicated provider consolidation leads to higher health care
2290 costs for both horizontal and vertical consolidation.
2291 Patients should not be negatively affected by these
2292 anti-competitive practices that drive prices up and undermine
2293 the quality of care.

2294 That is why I am proud to join Rep. Burgess in
2295 introducing the Providers and Payers COMPETE Act, and I thank
2296 him for his leadership and partnership in addressing this
2297 very important issue.

2298 This legislation will ensure HHS, as part of the annual
2299 rulemaking process, considers the implications that its
2300 proposals may have on provider and payer consolidation. As
2301 part of the legislation, HHS would be required to seek a
2302 public comment period to better understand the impact for
2303 certain proposed rules on consolidation and submit an annual
2304 report to Congress.

2305 Taken together, this bill will help HHS better

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2306 understand the impact certain Medicare regulations may have
2307 on further consolidating the health care system and hopefully
2308 help us better shield patients from exorbitant prices.

2309 Thank you, Madam Chairwoman, for including this bill as
2310 part of today's markup, and I urge all of my colleagues to
2311 support it.

2312 And I yield back.

2313 *The Chair. The gentlelady yields back.

2314 Further discussion?

2315 Seeing none, the vote occurs on the AINS.

2316 All those in favor, signify by saying aye.

2317 Those opposed, nay.

2318 The ayes have it. The amendment is agreed to.

2319 The question now occurs on approving H.R. 3284, as
2320 amended. A roll call has been requested. The clerk will
2321 call the roll.

2322 *The Clerk. Mr. Burgess?

2323 *Mr. Burgess. Burgess votes aye.

2324 *The Clerk. Mr. Burgess votes aye.

2325 Mr. Latta?

2326 *Mr. Latta. Aye.

2327 *The Clerk. Mr. Latta votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2328 Mr. Guthrie?
2329 [No response.]
2330 *The Clerk. Mr. Griffith?
2331 [No response.]
2332 *The Clerk. Mr. Bilirakis?
2333 *Mr. Bilirakis. Aye.
2334 *The Clerk. Mr. Bilirakis votes aye.
2335 Mr. Johnson?
2336 *Mr. Johnson. Aye.
2337 *The Clerk. Mr. Johnson votes aye.
2338 Mr. Bucshon?
2339 *Mr. Bucshon. Aye.
2340 *The Clerk. Mr. Bucshon votes aye.
2341 Mr. Hudson?
2342 *Mr. Hudson. Aye.
2343 *The Clerk. Mr. Hudson votes aye.
2344 Mr. Walberg?
2345 *Mr. Walberg. Aye.
2346 *The Clerk. Mr. Walberg votes aye.
2347 Mr. Carter?
2348 [No response.]
2349 *The Clerk. Mr. Duncan?

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2350 *Mr. Duncan. Aye.

2351 *The Clerk. Mr. Duncan votes aye.

2352 Mr. Palmer?

2353 *Mr. Palmer. Aye.

2354 *The Clerk. Mr. Palmer votes aye.

2355 Mr. Dunn?

2356 *Mr. Dunn. Aye.

2357 *The Clerk. Mr. Dunn votes aye.

2358 Mr. Curtis?

2359 [No response.]

2360 *The Clerk. Mrs. Lesko?

2361 *Mrs. Lesko. Aye.

2362 *The Clerk. Mrs. Lesko votes aye.

2363 Mr. Pence?

2364 *Mr. Pence. Aye.

2365 *The Clerk. Mr. Pence votes aye.

2366 Mr. Crenshaw?

2367 [No response.]

2368 *The Clerk. Mr. Joyce?

2369 *Mr. Joyce. Aye.

2370 *The Clerk. Mr. Joyce votes aye.

2371 Mr. Armstrong?

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2372 *Mr. Armstrong. Yes.

2373 *The Clerk. Mr. Armstrong votes aye.

2374 Mr. Weber?

2375 [No response.]

2376 *The Clerk. Mr. Allen?

2377 *Mr. Allen. Aye.

2378 *The Clerk. Mr. Allen votes aye.

2379 Mr. Balderson?

2380 *Mr. Balderson. Aye.

2381 *The Clerk. Mr. Balderson votes aye.

2382 Mr. Fulcher?

2383 *Mr. Fulcher. Aye.

2384 *The Clerk. Mr. Fulcher votes aye.

2385 Mr. Pfluger?

2386 *Mr. Pfluger. Aye.

2387 *The Clerk. Mr. Pfluger votes aye.

2388 Mrs. Harshbarger?

2389 *Mrs. Harshbarger. Aye.

2390 *The Clerk. Mrs. Harshbarger votes aye.

2391 Mrs. Miller-Meeks?

2392 *Mrs. Miller-Meeks. Aye.

2393 *The Clerk. Mrs. Miller-Meeks votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2394 Mrs. Cammack?
2395 *Mrs. Cammack. Aye.
2396 *The Clerk. Mrs. Cammack votes aye.
2397 Mr. Obernolte?
2398 [No response.]
2399 *The Clerk. Mr. Pallone?
2400 *Mr. Pallone. Aye.
2401 *The Clerk. Mr. Pallone votes aye.
2402 Ms. Eshoo?
2403 *Ms. Eshoo. Aye.
2404 *The Clerk. Ms. Eshoo votes aye.
2405 Ms. DeGette?
2406 [No response.]
2407 *The Clerk. Ms. Schakowsky?
2408 *Ms. Schakowsky. Aye.
2409 *The Clerk. Ms. Schakowsky votes aye.
2410 Ms. Matsui?
2411 *Ms. Matsui. Aye.
2412 *The Clerk. Ms. Matsui votes aye.
2413 Ms. Castor?
2414 [No response.]
2415 *The Clerk. Mr. Sarbanes?

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2416 *Mr. Sarbanes. Aye.
2417 *The Clerk. Mr. Sarbanes votes aye.
2418 Mr. Tonko?
2419 *Mr. Tonko. Aye.
2420 *The Clerk. Mr. Tonko votes aye.
2421 Ms. Clarke?
2422 *Ms. Clarke. Aye.
2423 *The Clerk. Ms. Clarke votes aye.
2424 Mr. Cardenas?
2425 *Mr. Cardenas. Aye.
2426 *The Clerk. Mr. Cardenas votes aye.
2427 Mr. Ruiz?
2428 *Mr. Ruiz. Aye.
2429 *The Clerk. Mr. Ruiz votes aye.
2430 Mr. Peters?
2431 *Mr. Peters. Aye.
2432 *The Clerk. Mr. Peters votes aye.
2433 Mrs. Dingell?
2434 *Mrs. Dingell. Aye.
2435 *The Clerk. Mrs. Dingell votes aye.
2436 Mr. Veasey?
2437 *Mr. Veasey. Aye.

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2438 *The Clerk. Mr. Veasey votes aye.
2439 Ms. Kuster?
2440 *Ms. Kuster. Aye.
2441 *The Clerk. Ms. Kuster votes aye.
2442 Ms. Kelly?
2443 *Ms. Kelly. Aye.
2444 *The Clerk. Ms. Kelly votes aye.
2445 Ms. Barragan?
2446 *Ms. Barragan. Aye.
2447 *The Clerk. Ms. Barragan votes aye.
2448 Ms. Blunt Rochester?
2449 *Ms. Blunt Rochester. Aye.
2450 *The Clerk. Ms. Blunt Rochester votes aye.
2451 Mr. Soto?
2452 *Mr. Soto. Aye.
2453 *The Clerk. Mr. Soto votes aye.
2454 Ms. Craig?
2455 *Ms. Craig. Aye.
2456 *The Clerk. Ms. Craig votes aye.
2457 Ms. Schrier?
2458 *Ms. Schrier. Aye.
2459 *The Clerk. Ms. Schrier votes aye.

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2460 Mrs. Trahan?

2461 *Mrs. Trahan. Aye.

2462 *The Clerk. Mrs. Trahan votes aye.

2463 Mrs. Fletcher?

2464 *Mrs. Fletcher. Aye.

2465 *The Clerk. Mrs. Fletcher votes aye.

2466 *Mr. Weber. How is Weber's vote recorded?

2467 *The Clerk. Mr. Weber is not recorded.

2468 *Mr. Weber. Weber votes aye.

2469 *The Clerk. Mr. Weber votes aye.

2470 *The Chair. The Chair?

2471 *The Clerk. Chair Rodgers, you are not recorded.

2472 *The Chair. Chair votes aye.

2473 *The Clerk. Chair Rodgers votes aye.

2474 *The Chair. How is DeGette recorded?

2475 *The Clerk. Ms. DeGette is not recorded.

2476 *Ms. DeGette. DeGette votes aye.

2477 *The Clerk. Ms. DeGette votes aye.

2478 *The Chair. How is Castor recorded? Ms. Castor?

2479 *The Clerk. Ms. Castor is not recorded.

2480 *Ms. Castor. Castor votes aye.

2481 *The Clerk. Ms. Castor votes aye.

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2482 *The Chair. Mr. Clerk, how is Mr. Griffith recorded?
2483 *The Clerk. Mr. Griffith is not recorded.
2484 *Mr. Griffith. Griffith votes aye.
2485 *The Clerk. Mr. Griffith votes aye.
2486 *The Chair. Mr. Carter?
2487 *The Clerk. Mr. Carter is not recorded.
2488 *Mr. Carter. Carter votes aye.
2489 *The Clerk. Mr. Carter votes aye.
2490 *The Chair. Any other members seeing to be recorded?
2491 Oh. How is Mr. Guthrie recorded?
2492 *The Clerk. Mr. Guthrie is not recorded.
2493 *Mr. Guthrie. Aye.
2494 *The Clerk. Mr. Guthrie votes aye.
2495 *The Chair. The clerk will -- Mr. Clerk, would you call
2496 the members who are not recorded, please?
2497 *The Clerk. Yes, ma'am.
2498 *The Chair. Please.
2499 *The Clerk. Mr. Crenshaw is not recorded.
2500 Mr. Obernolte is not recorded. Mr. Curtis is not recorded.
2501 *The Chair. Mr. Curtis?
2502 The clerk will report.
2503 *The Clerk. Chair Rodgers, on that vote there were 49

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2504 ayes and 0 noes.

2505 *The Chair. The ayes have it. The bill is adopted.

2506 The chair calls up H.R. 3290 and asks the clerk to

2507 report.

2508 *The Clerk. H.R. 3290, a bill to amend title III of the

2509 Public Health Service Act to ensure transparency and

2510 oversight of the 340B drug --

2511

2512 [H.R. 3290 follows:]

2513

2514 *****COMMITTEE INSERT*****

2515

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2516 *The Chair. Without objection, the first reading of
2517 the bill is dispensed with, and the bill will be open for
2518 amendment at any point. So ordered.

2519 *Mr. Bucshon. Madam Chair?

2520 *The Chair. For what purpose does the gentleman seek
2521 recognition?

2522 *Mr. Bucshon. Madam Chair, I have an amendment at the
2523 desk.

2524 *The Chair. The gentleman is recognized for the purpose
2525 -- the clerk will report the amendment.

2526 *The Clerk. Amendment in the nature of a substitute to
2527 H.R. 3290 offered by Mr. Bucshon of Indiana, strike all after
2528 the --

2529 [The Amendment offered by Mr. Bucshon follows:]

2530

2531 *****COMMITTEE INSERT*****

2532

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

2533 *The Chair. Without objection, the first reading or
2534 the reading of the amendment is dispensed with.

2535 The gentleman from Indiana, Mr. Bucshon, is recognized
2536 for five minutes in support of the amendment.

2537 *Mr. Bucshon. Thank you, Madam Chair.

2538 This amendment in the nature of a substitute
2539 incorporates technical assistance from HRSA and feedback we
2540 have received from multiple stakeholders since the
2541 subcommittee markup last week.

2542 Transparency. So what is it? Transparency in a
2543 business or governance context refers to being open and
2544 honest. This requires disclosure of all relevant information
2545 so that others can make informed decisions. The implication
2546 of transparency is that all of an organization's actions
2547 should be scrupulous enough to bear public scrutiny.

2548 The 340B drug pricing program is an important tool that
2549 helps hospitals and other covered entities meet the health
2550 care needs of low income and uninsured patients.
2551 340B-covered entities are able to purchase drugs for patients
2552 at their facilities at substantial discounts.

2553 However, if you ask me to tell you what this program
2554 actually looks like at a facility level and what covered

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2555 entities do with their savings, I truly couldn't tell you at
2556 this point.

2557 And so I want to ask what are the detractors of this
2558 legislation that we are proposing so afraid of? And that
2559 should be a concern to everyone that we don't know.

2560 I want to be clear, I am a strong supporter of the 340B
2561 program. I know firsthand from talking to hospitals in my
2562 district how important this program is. For example, a rural
2563 hospital in my district has told me they couldn't provide
2564 many of the services they provide without the 340B program.

2565 But the only way for us as lawmakers to understand what
2566 this program looks like for our constituents is to each -- is
2567 to go to each hospital and ask them for their data. That is
2568 not my opinion. That is the assessment of the GAO in
2569 multiple reports. It is also the assessment of HHS Secretary
2570 Becerra, who told this committee in March that the program,
2571 and I quote, "doesn't have the transparency we need," and of
2572 the Biden Administration whose budget for this year called
2573 for greater transparency and auditing of the program.

2574 This program has operated for decades without enough
2575 transparency, all the while growing at exponential rates in
2576 an unchecked fashion. For example, from 2000 to 2020, the

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2577 number of covered entities has grown from 8,100 to nearly
2578 50,000, with estimated discount purchases through this
2579 program going from roughly 4 billion in 2007 through 2009 to
2580 43.9 billion in 2021.

2581 According to HRSA, this level of 340B sales represents
2582 approximately 7.2 percent of the overall U.S. drug market in
2583 2021. Not insignificant.

2584 And, unfortunately, we know that the 340B program can be
2585 a lucrative business for some participants and further drives
2586 us towards consolidation in the health care system. Take for
2587 example a hospital system who The New York Times profiled in
2588 September of last year. According to The New York Times, the
2589 hospital system has potentially exploited the program by
2590 acquiring providers across a massive footprint to maximize
2591 savings from the program to increase profits while decreasing
2592 services in their inner city facility.

2593 However, I don't know if that is true or not because of
2594 the lack of transparency. Transparency will not only give
2595 all of us the confidence that the program is being properly
2596 utilized but will help institutions defend themselves against
2597 such charges if they are doing the right thing.

2598 I hear all the time from providers, by the way, across

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2599 the country who are repeatedly barraged by hospital systems
2600 trying to acquire them to realize the 340B savings. If we
2601 care about competition and consolidation in the health care
2602 sector, we deserve to know how much in savings is generated
2603 by this program at each facility and at each facility that a
2604 hospital system may acquire.

2605 And to those who may argue that these requirements are
2606 burdensome, I would ask you to look at some of the grantees
2607 of this program who do have some form of transparency
2608 requirements to account for how they use the 340B program and
2609 have specific requirements on how to reinvest those savings
2610 to those patients. It can be done.

2611 However, according to HRSA, more than 75 percent of
2612 340B-covered entity purchases were made by disproportionate
2613 or DSH hospitals in fiscal year 2021.

2614 The 340B Transparency Act is very simple. It would only
2615 require DSH hospitals to report to HRSA on the following:
2616 their patient mix, their total charity care, their total
2617 payer shortfall, and their total savings in the 340B across a
2618 year. This is basic transparency that will provide
2619 information about the patients who are being served by the
2620 340B program.

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2621 Requiring greater transparency of how covered entities
2622 use 340B dollars is an important step, and I am glad this
2623 legislation will give us a better handle on how these dollars
2624 are being used.

2625 Full transparency into all 340B participants will ensure
2626 Congress and HHS have a true sense of how billions of dollars
2627 of discounts are being spent across the program and how it is
2628 going to benefit patients as was the original intent of the
2629 law in the first place.

2630 I urge my colleagues to support this legislation, and I
2631 yield back the balance of my time.

2632 *The Chair. The gentleman yields back.

2633 The chair recognizes the ranking member for five minutes
2634 on the amendment.

2635 *Mr. Pallone. Thank you, Madam Chair.

2636 I want to speak in opposition to H.R. 3290. As we
2637 discussed at the subcommittee markup last week, we all favor
2638 a transparent 340B program. I have been a longtime supporter
2639 of increased program integrity to ensure that covered
2640 entities are able to stretch scarce federal resources to
2641 reach more eligible patients and provide more comprehensive
2642 services.

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2643 However, the additional reporting envisioned in this
2644 bill will not necessarily lead to a clearer picture of how
2645 the program is working, and I remain concerned that this
2646 legislation would add additional burdens to covered entities
2647 while potentially obscuring how the program works and
2648 misconstruing the value of the program to patients.

2649 This legislation would require hospitals that
2650 participate in 340B to report on the savings they receive
2651 from the program and compare that with their costs for
2652 charity care or costs incurred for caring for Medicaid and
2653 Medicare patients and the uninsured.

2654 However, reports would not include opportunities for
2655 covered entities to explain other ways they use savings to
2656 expand care. Covered entities have voluntarily shared that
2657 they use 340B savings to provide low-cost drugs to patients,
2658 improve medication management, and help patients with complex
2659 care needs get connected with specialists and social
2660 services. Some have also improved access to opioid treatment
2661 and behavioral health.

2662 These activities all provide value and benefits for
2663 patients but would not necessarily be captured in the
2664 reporting metrics listed in the bill. By limiting the view

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2665 of the program to just a narrow band of metrics, the reports
2666 produced by this legislation could imply that the program is
2667 not providing the benefits, setting covered entities up for
2668 cuts in the future that could hurt patients.

2669 Republican supporters of this legislation raised
2670 concerns last week about the actions of some 340B hospitals.
2671 Like others, I was shocked when I saw reports last year of a
2672 hospital in Richmond that appeared to be moving resources to
2673 higher income communities rather than the areas that needed
2674 them most. However, the requirements of this bill would have
2675 done nothing to detect these activities or put a stop to
2676 them.

2677 HRSA already has requirements in place for covered
2678 entities, including annual recertification and audits of
2679 covered entities for compliance with the law.

2680 This bill would expand HRSA's responsibility to further
2681 audit the use of covered entity savings. Unfortunately, it
2682 includes no additional resources for the already understaffed
2683 agency to conduct these audits. With only 23 staff
2684 overseeing the 340B program, additional program integrity
2685 measures will require not only more responsibilities but more
2686 statutory authority and resources.

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2687 And I have long supported program integrity measures of
2688 340B, including ensuring the drug manufacturers that
2689 participate in the Medicaid program provide 340B discounts as
2690 required by law. But over the last several years, drug
2691 companies have repeatedly refused to fill orders from
2692 340B-covered entities that use contract pharmacies, including
2693 community health centers, which rarely have pharmacies of
2694 their own.

2695 Both the Trump and Biden -- I am sorry. Both the Trump
2696 and Biden Administrations have claimed that the drug
2697 companies are in violation of the 340B statute, and I agree.
2698 However, courts have found deficiencies in the agency's
2699 authority to enforce the law.

2700 At our subcommittee markup last week, it was suggested
2701 that we should ignore the contract pharmacy issue and our
2702 role in potentially addressing it and let the judicial branch
2703 sort it out. That deflection of our responsibility further
2704 underscores that this legislation is not a serious bipartisan
2705 effort to strengthen the 340B program, which necessarily
2706 would require us to address the issue of contract pharmacies.

2707 Now, if we are going to improve the program integrity in
2708 340B, we know it will take resources and authority for HRSA

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2709 to do more. Unfortunately, this legislation fails to address
2710 any of those concerns, and instead may be used to draw an
2711 inaccurate narrative about the value of the program. And for
2712 those reasons, I will be voting no on this bill, and I
2713 encourage my colleagues to do the same.

2714 And with that, Madam Chair, I will yield back.

2715 *The Chair. The gentleman yields back.

2716 Further discussion on the AINS?

2717 The gentleman from Georgia, Mr. Carter, is recognized
2718 for five minutes on the amendment.

2719 *Mr. Carter. Thank you, Madam Chair. Madam Chair, I
2720 move to strike the last word.

2721 *The Chair. The gentleman is recognized for five minutes
2722 to strike the last word.

2723 *Mr. Carter. Madam Chair, as a pharmacist who has seen
2724 firsthand the challenges patients face at the pharmacy
2725 counter, I am a strong supporter of the 340B program to help
2726 vulnerable patients get access to medicines and health care.
2727 I know there are many others on this committee, on both sides
2728 of the aisle, who feel the same way.

2729 But I find the stories in the recent New York Times,
2730 Wall Street Journal, extremely disappointing. Providers who

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2731 get enormous 340B discounts on top of massive tax breaks,
2732 using 340B to only then reinvest their money in affluent
2733 communities, not those that need it most. And that is what
2734 the 340B program was set up to help: those who need it most.

2735 As I said last week, transparency will help identify
2736 which providers are actually doing good by the program as
2737 much as it will help show which ones simply are not. And
2738 there are those, as has been reported, that are not. I wish
2739 we had voted on this transparency bill years ago.

2740 And our work does not end with transparency. This is
2741 not the last time you are going to hear about 340B. We know
2742 there are known issues around lack of hospital charity care,
2743 PBM pickpocketing, and general program integrity gaps that
2744 are ripe for us to work together to fix. I am particularly
2745 appalled that PBMs are pickpocketing Community Health
2746 Centers' 340B savings, and they have found multiple ways of
2747 making money through the 340B program. Without our
2748 intervention, they will continue to make things worse for
2749 providers and patients. We must not stand for this.

2750 I want to work with Dr. Bucshon and other colleagues in
2751 a bipartisan way to address additional 340B issues. If we
2752 care about the 340B program -- and we do -- and if we care

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2753 about vulnerable patients -- and we do -- we simply cannot
2754 stand idly by as the program festers into more abuse, chaos,
2755 and controversy.

2756 Thank you, Madam Chair, and I yield back.

2757 *The Chair. The gentleman yields back. Is there
2758 further discussion?

2759 *Mr. Bucshon. Will the gentleman yield? Will the
2760 gentleman yield quickly to Bucshon?

2761 *Mr. Carter. I yield. I yield.

2762 *Mr. Bucshon. Thank you. Look, there is a lot of
2763 issues in the program. The contract pharmacy situation is a
2764 is something we need to address. But the proposal from my
2765 Democrat colleagues is an attempt to totally undermine this
2766 transparency legislation. And, you know, I get that, and I
2767 know where it is coming from.

2768 The bill today is just about transparency in the
2769 program. If we want to talk more reforms, that is a separate
2770 conversation, but we need data. Contract pharmacies are a
2771 major issue.

2772 We talk a lot about the hospital enrichment, siphoning
2773 -- potentially siphoning 340B funds from a poor neighborhood.
2774 But truthfully, we hear stories about this across the

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2775 country, and more and more of them are going to come out.
2776 And ask any independent provider in your community, and they
2777 will tell you that they are at risk of being bought by a
2778 hospital so that the hospital can take advantage of the 340B
2779 program. That is not my opinion. That is the facts.

2780 And so, you know, this is legislation that just asks
2781 honestly for a bare minimum. I guess I should have consulted
2782 with the ranking member, because he said it is not enough
2783 transparency, and maybe I should have added a number of other
2784 data points to it, which I certainly could, but we were
2785 trying to make it less onerous so that we could get some
2786 fundamental information. So that is also a red herring meant
2787 to kill the legislation, overall. And I think that is
2788 unfortunate, because I think all of us in the health care
2789 system -- I was a provider -- just want our patients, our
2790 constituents, to know the information.

2791 And as I said in my opening remarks about the ANS, you
2792 know who is against this? I mean, why are we -- who is
2793 against transparency? I mean, that tells me that there may
2794 be -- when we open the hood, there is more there. And so it
2795 is it is disappointing.

2796 But I still urge my colleagues to support this

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2797 legislation. I yield back to the gentleman from Georgia.

2798 *Mr. Carter. Anyone else?

2799 Madam Chair, I yield.

2800 *The Chair. The gentleman yields back his time.

2801 Further discussion?

2802 Ms. Matsui is recognized for five minutes to strike the
2803 last word.

2804 *Ms. Matsui. Madam Chair, I move to strike the last
2805 word and speak in opposition to this bill.

2806 The bill before us is ostensibly about transparency, but
2807 in reality it would create onerous reporting requirements
2808 that do not align with the intent of the 340B program. This
2809 bill would make the benefits of the 340B program seem far
2810 more limited than they are in reality. The reporting would
2811 not capture, for example, savings being used to hire a
2812 provider to keep an emergency department open, pay a
2813 community health worker to perform outreach and navigation,
2814 or invest in wraparound services like nutrition and
2815 transportation.

2816 Congress made the purpose of the 340B program clear from
2817 the start: the first House report that was filed with it
2818 said the 340B program was created to help covered entities to

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2819 stretch scarce Federal resources as far as possible, reaching
2820 more eligible patients and providing more comprehensive
2821 services.

2822 This bill's reporting requirements would only tell a
2823 fraction of the story of 340B, ignoring many of the
2824 comprehensive services 340B entities provide under the
2825 program.

2826 In addition, the proposed requirements are unworkable.
2827 Neither HRSA nor many of the covered entities this bill would
2828 target have the resources to carry them out. In fact, this
2829 committee heard about this from a witness from Pullman
2830 Regional Hospital just a few weeks ago. I asked him about
2831 the current requirements his hospital faces. He explained
2832 that maintaining program eligibility is already a significant
2833 undertaking. He described the stress on their small finance
2834 team, and mentioned that some smaller rural hospitals have
2835 already been edged out of the program due to the burden of
2836 these requirements.

2837 I support program integrity. However, this bill goes a
2838 step too far. Complying with these requirements, which are
2839 unlike anything else in the 340B program, may not even be
2840 possible within current health data systems. We must be

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2841 careful not to unduly burden the most vulnerable providers,
2842 like rural hospitals, who are operating on razor thin
2843 margins, especially when those requirements would provide an
2844 incomplete picture of the program.

2845 I urge my colleagues to oppose this bill, and I yield
2846 back.

2847 *The Chair. Is there further discussion?

2848 The chair recognizes for five minutes Mr. Joyce to
2849 strike the last word.

2850 *Mr. Joyce. Madam Chair, I move to strike the last word
2851 and speak in support of this bill.

2852 Let's be clear. The legislation before us is not an
2853 attack on the 340B program. This legislation is a necessary
2854 and important step to ensure transparency that the program
2855 continues to operate as intended.

2856 As a doctor, I was trained to arrive at the right
2857 diagnosis before treating a condition. If Congress is going
2858 to address rising costs of health care, we must first
2859 understand all the factors and the convoluted incentives that
2860 are driving skyrocketing health care costs before we would
2861 take corrective action.

2862 And I recognize how important the 340B program is to the

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2863 hospitals in Pennsylvania. What we know is in the past
2864 decade one of the biggest drivers of increased consolidation
2865 and higher health care spending has been the 340B drug
2866 pricing program. Recognizing that, we must now understand
2867 where the money and the profits are going before we can begin
2868 to fix the problem. That is why I support this first step in
2869 ensuring greater transparency within the 340B program, so
2870 that we can identify the root cause of the runaway spending,
2871 fix the problem, and save this important program before it is
2872 too late.

2873 I applaud Dr. Bucshon for raising awareness on the need
2874 for basic transparency and accountability within the 340B
2875 program.

2876 The bill does four important issues: it addresses that
2877 facilities have to report the 340B program savings for a
2878 given year; it additionally asks the facility to report what
2879 the patient mix looks like, whether they care for individuals
2880 with Medicaid, Medicare, private insurance, or the uninsured;
2881 third, it asks the facility to report how much in charity
2882 care it is offering; and finally, this important legislation
2883 asks the facility to report how much in payer shortfall it
2884 providers [sic], or how much discounted care is subsidized by

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2885 providing care to Medicare and Medicaid beneficiaries, who
2886 are reimbursed at much lower rates than the private paying
2887 customers.

2888 This is, ultimately, the beginning steps of
2889 understanding where savings can occur.

2890 I urge the adoption of this bill, and I yield the
2891 balance of my time.

2892 *Mr. Bucshon. Will the gentleman yield -

2893 *Mr. Carter. Would the gentleman -

2894 *Mr. Bucshon. -- please?

2895 *Mr. Joyce. I yield to Dr. Bucshon.

2896 *Mr. Bucshon. Yes, yes, thank you. Thanks for
2897 yielding.

2898 I think it is important to understand also that this
2899 whole argument about onerous reporting of things -- does
2900 anybody, anybody believe that an organization that runs an
2901 operation doesn't know every line of their balance sheet
2902 already? They already have the information. All this
2903 information is not onerous; they already know it. How do I
2904 know this? Because I ran a cardiac surgery program at a
2905 hospital, and was on one of the, you know, medical staff
2906 boards that looked over this.

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2907 You know, in the end, to justify not-for-profit status,
2908 they already have to have all the information to show
2909 community benefit, charity care, and all that. They already
2910 know all this. So this is just a matter of basic
2911 transparency.

2912 And again, I want to just say again I am -- it befuddles
2913 me to why, on just a simple bill like this, there is so much
2914 pushback. It just befuddles me. I can't quite understand
2915 it.

2916 So I yield to Dr. Joyce.

2917 *Mr. Joyce. I yield the remaining time to Mr. Carter
2918 from Georgia.

2919 *Mr. Carter. I thank the gentleman for yielding.

2920 You know, to hearing some of the comments from the other
2921 side of the aisle, this is very disturbing and very, very
2922 disappointing for what I consider to be the most bipartisan
2923 committee in Congress. We all want the same thing when it
2924 comes to health care. We want accessibility, affordability,
2925 and quality health care.

2926 What is happening here? You have seen what is happening
2927 here. You have seen hospitals go out and buy oncology
2928 practices for no other reason but to be able to utilize the

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2929 340B program. No other reason.

2930 You talk about the impact that the 340B program is
2931 having on rural hospitals and the FQHCs. You are absolutely
2932 right, that is what it is for, not for the -- not for these
2933 health care systems that go out and buy an oncology practice
2934 simply to increase the profits through the 340B program.
2935 That is not what it is for.

2936 What we want to do is to protect the FQHCs, to protect
2937 the rural hospitals. We want the 340B program to remain
2938 sustainable and to thrive. We need it to for our FQHCs and
2939 for our rural hospitals. That is why we need transparency.

2940 And I yield back.

2941 *Mr. Joyce. My time is expired, and I yield back, Madam
2942 Chair.

2943 *The Chair. The gentleman yields back. Is there
2944 further discussion?

2945 The -- Ms. Castor is recognized for five minutes to
2946 strike the last word.

2947 *Ms. Castor. Well, thank you, Madam Chair. I move to
2948 strike the last word to speak in opposition to the bill.

2949 Three-forty-B works. It helps expand access to health
2950 services for many of our neighbors back home. It helps to

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2951 reduce pharmaceutical costs for hundreds of health care
2952 providers and their patients.

2953 Over the years I have spoken to -- I can't even count
2954 how many patients, folks at hospitals, Community Health
2955 Centers, other covered entities back home in Florida about
2956 how this initiative helps them stretch the -- helps them
2957 stretch the scarce health care dollar to provide enhanced
2958 care, treat more patients, provide affordable prescriptions,
2959 and offset losses from uncompensated care.

2960 Three-forty-B benefits our neighbors, especially who
2961 need assistance the most, as well as the safety net providers
2962 who care for them. And at a time when drug prices have been
2963 skyrocketing across the board for consumers, 340B really is a
2964 bright light for our neighbors back home. My local 340B
2965 hospitals have used their savings for -- to do all sorts of
2966 things: create medication assistance and transition care
2967 initiatives, to offer trauma care, and chemotherapy infusion
2968 services to people who otherwise might have to go without
2969 that kind of treatment because of cost. They have used it to
2970 provide ongoing case management.

2971 I think Congresswoman Matsui really summed it up well
2972 about the fear of cost, the fear of how this bill is way too

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2973 narrow, about how it would paint a picture that wouldn't tell
2974 the whole story. So I am going to associate myself with her
2975 remarks, and really hope that we can work together and to
2976 protect 340B. It is just what Congresswoman Matsui said.
2977 From the outset it was intended to be flexible for our
2978 hospitals, Community Health Centers, other covered entities
2979 in a manner that really helps them address local needs.

2980 So any kind of onerous, one-sided reporting,
2981 bureaucratic regimes will only hurt that type of flexibility,
2982 and it would impair the cost savings that Congress intended
2983 for 340B at the outset. So I am going to associate myself
2984 with her remarks, and urge a no vote on this bill.

2985 Thank you, and I yield back.

2986 *The Chair. The gentlelady yields back. Is there
2987 further discussion?

2988 The chair recognizes Mr. Peters for five minutes to
2989 strike the last word.

2990 *Mr. Peters. Thank you, Madam Chair. The 340B drug
2991 discount program, which helps provide lifesaving drugs to
2992 low-income patients in my district and across the country, is
2993 the second-largest government prescription drug program, the
2994 second largest drug program.

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2995 I am a strong supporter of 340B, but we have seen some
2996 practices highlighted over the past year by the New York
2997 Times and the Wall Street Journal and other outlets that
2998 provide -- and should provide -- sincere concern on behalf of
2999 this committee, which is responsible for the creation, the
3000 implementation, and the oversight of this important program.
3001 And I am particularly worried about the evidence we have seen
3002 that some large systems may use 340B to reach affluent areas,
3003 diverting care away from underserved communities. And that
3004 practice violates the spirit of the program. And
3005 unfortunately, in some well documented instances, this has
3006 contributed to questionable use of taxpayer dollars and the
3007 deaths of some patients.

3008 We need to do more. Recent reporting has shown quite
3009 clearly what happens when the program strays from patients
3010 and becomes about profits. For years I have called for
3011 meaningful transparency standards in 340B. I did that with
3012 Mr. Bucshon, where we actually asked for transparency, and we
3013 asked for a pause in the program. We are not asking -- he is
3014 not asking for that this time. He is just asking for where
3015 the where the money is going. And I know that we can come
3016 together as Republicans and Democrats to work on some

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3017 thoughtful reforms, but we can't do that if we are in the
3018 dark about where the money is.

3019 I am a little bit unpersuaded by the notion that this is
3020 a burdensome exercise for people, because when we give out
3021 billions of dollars in taxpayer money, we have every right
3022 and a responsibility to ask where that money is being spent.
3023 We need to know whether it is working well or not. And I
3024 think it is fundamental to our job here that we do that, that
3025 we get this information. I think it is not too much to ask
3026 for the recipients of that assistance to provide that
3027 information to us.

3028 I also sympathize that, you know, we have a serious
3029 issue with hospital solvency. Many, many of those instances
3030 are rural areas, not all of them. That is an issue we have
3031 to deal with. But that doesn't mean we shouldn't get the
3032 information about where this money is being spent, and
3033 whether we are getting the bang for our buck. We all claim
3034 that this program works. I would challenge us to prove that
3035 if we don't have the information about where the money is
3036 going, who the beneficiaries are.

3037 I am also -- I think it is right to say let's get the
3038 basic information. I think, on one hand, you can't say it is

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3039 burdensome to provide that and then ask for more information
3040 to be provided. We can do this in an iterative way. If we
3041 want to make normative and subjective judgments about other
3042 parts of the program, that is fine. We have to have the
3043 basic information about where the money is going, not just to
3044 prevent fraud, but to see whether we are really getting the
3045 benefit from this program.

3046 So, and finally, on the contract pharmacy issue, I am
3047 happy to work with anyone on that if that -- if there is an
3048 abuse on the industry side. That is also a separate issue
3049 from this.

3050 Three-forty-B is an important program. We have every
3051 right and responsibility to know where the money is going.
3052 And I think that that is what this bill is about. So I urge
3053 my colleagues to join and vote for this transparency.

3054 And with that, Madam Chair, I yield back.

3055 *The Chair. The gentleman yields back. Is there
3056 further discussion?

3057 Mrs. Dingell is recognized for five minutes to strike
3058 the last word.

3059 *Mrs. Dingell. Thank you, Madam Chairwoman.

3060 The 340B program is a critical lifeline. It enables

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3061 safety net providers to expand access to essential health
3062 care services for our most vulnerable patients. The intent
3063 of the 340B program has and continues to be to help entities
3064 stretch scarce Federal resources to provide comprehensive
3065 services to as many eligible patients as possible.

3066 The program has made a real difference. I see it in
3067 communities across southeast Michigan every day and, quite
3068 frankly, visited three hospitals in the last week. As we
3069 continue to recover from the COVID-19 pandemic, navigate a
3070 mental health crisis, and improve access to necessary health
3071 care, the savings 340B hospitals use to provide care to
3072 uninsured patients, offer free vaccines, and offer mental
3073 health services are absolutely essential.

3074 But we have significant concerns that this bill will
3075 undermine the purpose of 340B and constrain the hospital's
3076 ability to meaningfully serve these vulnerable communities.
3077 The bill will create onerous reporting requirements for
3078 hospitals. Not only will these requirements create
3079 additional costs, but they don't capture the full scope of
3080 how 340B is helping patients. I fear that the narrow focus
3081 on charity care will obscure the true value of 340B in
3082 communities nationwide.

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3083 I share my concern -- my colleague on the Republican
3084 side knows how I feel about Pharmacy Benefit Managers and our
3085 pharmacies, and we need to -- do need to be addressing that
3086 without fail. Safety net hospitals play a very important
3087 role in our health care systems, and we must continue working
3088 to achieve the transparency. We all agree with that. We
3089 need it, but in a way that does not curtail a hospital's
3090 ability to carry out the important mission of 340B.

3091 Therefore, I urge my colleagues to oppose this bill, and
3092 yield back.

3093 *The Chair. The gentlelady yields back. Is there
3094 further discussion?

3095 Seeing none, the question now occurs on approving the
3096 amendment -- the Bucshon amendment in the nature of a
3097 substitute.

3098 All those in favor, say aye.

3099 All those opposed, nay.

3100 The ayes have it. The amendment is adopted.

3101 The question now occurs on approving H.R. 3290, as
3102 amended. A roll call has been requested. The clerk will
3103 call the roll.

3104 *The Clerk. Mr. Burgess?

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3105 *Mr. Burgess. [Inaudible.]
3106 *The Clerk. Mr. Burgess votes aye.
3107 Mr. Latta?
3108 *Mr. Latta. Aye.
3109 *The Clerk. Mr. Latta votes aye.
3110 Mr. Guthrie?
3111 *Mr. Guthrie. Aye.
3112 *The Clerk. Mr. Guthrie votes aye.
3113 Mr. Griffith?
3114 *Mr. Griffith. Aye.
3115 *The Clerk. Mr. Griffith votes aye.
3116 Mr. Bilirakis?
3117 *Mr. Bilirakis. [Inaudible.]
3118 *The Clerk. Mr. Bilirakis votes aye.
3119 Mr. Johnson?
3120 *Mr. Johnson. Aye.
3121 *The Clerk. Mr. Johnson votes aye.
3122 Mr. Bucshon?
3123 *Mr. Bucshon. Aye.
3124 *The Clerk. Mr. Bucshon votes aye.
3125 Mr. Hudson?
3126 [No response.]

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3127 *The Clerk. Mr. Walberg?
3128 [No response.]
3129 *The Clerk. Mr. Carter?
3130 *Mr. Carter. Aye.
3131 *The Clerk. Mr. Carter votes aye.
3132 Mr. Duncan?
3133 [No response.]
3134 *The Clerk. Mr. Palmer?
3135 *Mr. Palmer. Aye.
3136 *The Clerk. Mr. Palmer votes aye.
3137 Mr. Dunn?
3138 *Mr. Dunn. Aye.
3139 *The Clerk. Mr. Dunne votes aye.
3140 Mr. Curtis?
3141 *Mr. Curtis. [Inaudible.]
3142 *The Clerk. Mr. Curtis votes aye.
3143 Mrs. Lesko?
3144 *Mrs. Lesko. Aye.
3145 *The Clerk. Mrs. Lesko votes aye.
3146 Mr. Pence?
3147 *Mr. Pence. Aye.
3148 *The Clerk. Mr. Pence votes aye.

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3149 Mr. Crenshaw?
3150 *Mr. Crenshaw. Aye.
3151 *The Clerk. Mr. Crenshaw votes aye.
3152 Mr. Joyce?
3153 *Mr. Joyce. [Inaudible.]
3154 *The Clerk. Mr. Joyce votes aye.
3155 Mr. Armstrong?
3156 *Mr. Armstrong. Yes.
3157 *The Clerk. Mr. Armstrong votes aye.
3158 Mr. Weber?
3159 *Mr. Weber. Aye.
3160 *The Clerk. Mr. Weber votes aye.
3161 Mr. Allen?
3162 *Mr. Allen. Aye.
3163 *The Clerk. Mr. Allen votes aye.
3164 Mr. Balderson?
3165 *Mr. Balderson. [Inaudible.]
3166 *The Clerk. Mr. Balderson votes aye.
3167 Mr. Fulcher?
3168 *Mr. Fulcher. [Inaudible.]
3169 *The Clerk. Mr. Fulcher votes aye.
3170 Mr. Pfluger?

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3171 *Mr. Pfluger. Aye.
3172 *The Clerk. Mr. Pfluger votes aye.
3173 Mrs. Harshbarger?
3174 *Mrs. Harshbarger. [Inaudible.]
3175 *The Clerk. Mrs. Harshbarger votes aye.
3176 Mrs. Miller-Meeks?
3177 *Mrs. Miller-Meeks. [Inaudible.]
3178 *The Clerk. Mrs. Miller-Meeks votes aye.
3179 Mrs. Cammack?
3180 *Mrs. Cammack. [Inaudible.]
3181 *The Clerk. Mrs. Cammack votes aye.
3182 Mr. Obernolte?
3183 [No response.]
3184 *The Clerk. Mr. Pallone?
3185 *Mr. Pallone. [Inaudible.]
3186 *The Clerk. Mr. Pallone votes no.
3187 Ms. Eshoo?
3188 *Ms. Eshoo. [Inaudible.]
3189 *The Clerk. Ms. Eshoo votes no.
3190 Ms. DeGette?
3191 *Ms. DeGette. No.
3192 *The Clerk. Ms. DeGette votes no.

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3193 Ms. Schakowsky?
3194 [No response.]
3195 *The Clerk. Ms. Matsui?
3196 *Ms. Matsui. No.
3197 *The Clerk. Ms. Matsui votes no.
3198 Ms. Castor?
3199 *Ms. Castor. No.
3200 *The Clerk. Ms. Castor votes no.
3201 Mr. Sarbanes?
3202 *Mr. Sarbanes. No.
3203 *The Clerk. Mr. Sarbanes votes no.
3204 Mr. Tonko?
3205 *Mr. Tonko. No.
3206 *The Clerk. Mr. Tonko votes no.
3207 Ms. Clarke?
3208 *Ms. Clarke. [Inaudible.]
3209 *The Clerk. Ms. Clarke votes no.
3210 Mr. Cardenas?
3211 *Mr. Cardenas. [Inaudible.]
3212 *The Clerk. Mr. Cardenas votes no.
3213 Mr. Ruiz?
3214 *Mr. Ruiz. No.

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3215 *The Clerk. Mr. Ruiz votes no.
3216 Mr. Peters?
3217 *Mr. Peters. Aye.
3218 *The Clerk. Mr. Peters votes aye.
3219 Mrs. Dingell?
3220 *Mrs. Dingell. [Inaudible.]
3221 *The Clerk. Mrs. Dingell votes no.
3222 Mr. Veasey?
3223 *Mr. Veasey. No.
3224 *The Clerk. Mr. Veasey votes no.
3225 Ms. Kuster?
3226 *Ms. Kuster. [Inaudible.]
3227 *The Clerk. Ms. Kuster votes no.
3228 Ms. Kelly?
3229 *Ms. Kelly. [Inaudible.]
3230 *The Clerk. Ms. Kelly votes no.
3231 Ms. Barragan?
3232 *Ms. Barragan. No.
3233 *The Clerk. Ms. Barragan votes no.
3234 Ms. Blunt Rochester?
3235 *Ms. Blunt Rochester. [Inaudible.]
3236 *The Clerk. Ms. Blunt Rochester votes no.

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3237 Mr. Soto?

3238 *Mr. Soto. [Inaudible.]

3239 *The Clerk. Mr. Soto votes no.

3240 Ms. Craig?

3241 *Ms. Craig. No.

3242 *The Clerk. Ms. Craig votes no.

3243 Ms. Schrier?

3244 *Ms. Schrier. [Inaudible.]

3245 *The Clerk. Ms. Schrier votes no.

3246 Mrs. Trahan?

3247 *Mrs. Trahan. [Inaudible.]

3248 *The Clerk. Mrs. Trahan votes no.

3249 Mrs. Fletcher?

3250 *Mrs. Fletcher. [Inaudible.]

3251 *The Clerk. Mrs. Fletcher votes no.

3252 Chair Rodgers?

3253 *The Chair. Aye.

3254 *The Clerk. Chair Rodgers votes aye.

3255 Mr. Hudson is not recorded.

3256 *Mr. Hudson. Hudson votes aye.

3257 *The Clerk. Mr. Hudson votes aye.

3258 *Mr. Duncan. How am I recorded?

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3259 *The Clerk. Mr. Duncan, you are not recorded.

3260 *Mr. Duncan. [Inaudible.]

3261 *The Clerk. Mr. Duncan votes aye.

3262 Ms. Schakowsky is not recorded.

3263 *Ms. Schakowsky. [Inaudible.]

3264 *The Clerk. Ms. Schakowsky votes no.

3265 Mr. Walberg, you are not recorded.

3266 *Mr. Walberg. [Inaudible.]

3267 *The Clerk. Mr. Walberg votes aye.

3268 *The Chair. [Inaudible] recorded?

3269 The clerk will report.

3270 *The Clerk. Chair Rodgers, on that vote there were 29

3271 ayes and 22 noes.

3272 *The Chair. The ayes have it, the bill is adopted.

3273 The chair calls up H.R. 3561, and asks the clerk to

3274 report.

3275 *The Clerk. H.R. 3561, a bill to promote hospital and

3276 insurer price transparency, and for other purposes. Be it

3277 enacted by the Senate -

3278 *The Chair. Without objection, the first reading of the

3279 bill is dispensed with, and the bill will be open for

3280 amendment at any point.

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3281 So ordered.

3282

3283 [The bill follows:]

3284

3285 *****COMMITTEE INSERT*****

3286

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3287 *The Chair. I have an amendment in the nature of a
3288 substitute. The clerk will report.

3289 *The Clerk. Amendment in the nature of a substitute to
3290 H.R. 3561.

3291 *The Chair. The reading of the amendment is dispensed
3292 with.

3293 [The amendment of The Chair follows:]

3294

3295 *****COMMITTEE INSERT*****

3296

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3297 *The Chair. I recognize myself for five minutes on the
3298 amendment.

3299 At our subcommittee hearing last week I spoke at length
3300 about all the great policies in this legislation, and listed
3301 all the members whose priorities and bills are included in
3302 this package. I won't recap all of it today, but I want to
3303 emphasize that this ANS and H.R. 3561 is the product of
3304 strong bipartisan work that will make health care system
3305 stronger and more patient-friendly. It will dramatically
3306 increase transparency into our health care system.

3307 This bill will tell patients the price they will pay for
3308 for care, who owns their doctor's office, and how much
3309 Pharmacy Benefit Managers are making off of their medicine.
3310 It will directly lower costs for seniors on Medicare, getting
3311 medications administered from the hospital outpatient
3312 department, and it will extend funding for vital public
3313 health programs, Community Health Centers, programs to help
3314 train doctors in the community, and the Special Diabetes
3315 Programs.

3316 I want to extend thanks to each and every member who
3317 worked on this package, including the ranking member, Mr.
3318 Pallone, who has partnered with me for years now to improve

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3319 price transparency in health care.

3320 I did want to provide a brief reminder of why it is
3321 critical to remain steadfast in our pursuit of a more
3322 affordable, patient-friendly health care system. I would
3323 like to enter into the record a recent article describing how
3324 patients saw their costs increase when the Mayo Clinic
3325 started tackling -- tacking on facility fees to routine
3326 appointments.

3327 One patient saw their dermatology visit increase from
3328 \$500 to nearly 900. Another dermatology patient was charged
3329 a facility fee of \$420 for a visit that only cost 920 -- no,
3330 I am sorry -- 290, I got that backwards. Okay, so the
3331 facility fee was \$420 for a visit that only cost \$290.
3332 Another was charged a facility fee of nearly 1,100 for a
3333 cortisone shot that cost 262.

3334 Now, we are not talking about an obscure provider or a
3335 shady actor. This is the Mayo Clinic, a household name in
3336 health care. So without objection, I would like to enter
3337 that into the record.

3338 So ordered.

3339 [The information follows:]

3340

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3341 *****COMMITTEE INSERT*****

3342

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3343 *The Chair. Patients are frustrated. The system must
3344 be more simple, transparent, and affordable. We spend more
3345 on health care as a percentage of our economy than any other
3346 developed nation. And for their money, Americans are
3347 rewarded with a bureaucratic and overly burdensome system.
3348 They see corporations responsible for providing and paying
3349 for care go at great lengths to hide costs, deny payment for
3350 care, and weigh patients down in complexity.

3351 What we are doing here today won't solve every problem
3352 in our health care system. I have said that this is just a
3353 first step towards addressing the problems we face, but we
3354 can be proud of the meaningful bipartisan policies included
3355 in this amendment that will lower cost and improve
3356 transparency for patients.

3357 I urge my colleagues to support this ANS and the
3358 underlying bill, and I yield back.

3359 I yield to the ranking member, Mr. Pallone, for five
3360 minutes on the ANS.

3361 *Mr. Pallone. I thank the chair, and I speak in strong
3362 support of H.R. 3651, which, as you know, as has been
3363 mentioned, is bipartisan. And I thank the chair for working
3364 with us, with the Democrats, on this. The PATIENT Act, which

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3365 advanced out of the Health Subcommittee last week, will
3366 improve transparency in our health care system and extend and
3367 increase funding for critical public health programs like
3368 Community Health Centers, Teaching Health Centers, and the
3369 National Health Service Corps. I am proud of the work we
3370 have done together and the funding increases we were able to
3371 give these programs to invest in the future of our health
3372 care workforce.

3373 Now, the legislation also includes a proposal led by
3374 Representative Schakowsky and Representative Bilirakis that
3375 will require hospitals and physician practices to disclose
3376 ownership data, including for entities owned by private
3377 equity firms and venture capital firms.

3378 The legislation will help increase transparency of
3379 hospital ownership and provide greater insight into hospital
3380 and provider consolidation. High health care costs continue
3381 to be a challenge for American families, and too many
3382 patients are forced to wait until after they receive care and
3383 have a medical bill to fully understand how much they owe.

3384 Lack of transparency into health care prices makes it
3385 difficult for consumers to make informed decisions, and it
3386 also makes it challenging for employers to negotiate more

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3387 competitive prices. So the Transparent Price Act strengthens
3388 and expands access to price information across the health
3389 care industry, including hospital labs, insurance companies,
3390 and Pharmacy Benefit Managers. Greater transparency empowers
3391 both employers and consumers, allowing them to compare prices
3392 and achieve savings.

3393 We are also going to consider a proposal to align
3394 payment for drug administration in hospital outpatient
3395 departments with the physician fee schedule rate. This is a
3396 common-sense piece of legislation. This proposal would
3397 require Medicare to pay outpatient hospital departments the
3398 same rate as the independent physician's office for
3399 administering the same intravenous or injected medications.
3400 The drugs included for payment changes are routinely
3401 administered by physicians in their offices all around the
3402 country. These medications have great safety profiles, with
3403 no requirement for hospital backup capabilities to warrant
3404 extra costs in hospital facilities.

3405 This legislation is a reasonable and important step
3406 towards reducing beneficiary cost sharing for drug
3407 administration services, and also ensures that Medicare
3408 dollars are used more wisely. The Congressional Budget

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3409 Office has estimated that the proposal would reduce Part B
3410 premiums for seniors by \$1.4 billion.

3411 I am also proud that this bill cancels \$16 billion in
3412 cuts to Medicaid Disproportionate Share Hospital payments.
3413 This bill will help these safety net providers serve
3414 vulnerable communities.

3415 The bill also makes important investments in public
3416 health. It provides an increase in funding for Community
3417 Health Centers. While I would have preferred an even larger
3418 increase, this additional funding will give CHCs the
3419 resources they need to provide care to over 30 million
3420 individuals every year.

3421 It also extends and increases the authorization for the
3422 Special Diabetes Program at NIH and the Special Diabetes
3423 Program for Indians at IHS. And I thank the chairwoman and
3424 the bill's sponsors for working with me on these critical
3425 diabetes programs. This would be the largest authorization
3426 increase since 2004.

3427 I am also glad that we are able to come to an agreement
3428 that provides the Teaching Health Center Graduate Medical
3429 Education Program with sustainable funding that protects the
3430 integrity of the program. The increased funding included in

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3431 the legislation will help establish new centers, while also
3432 supporting existing programs, and that will create a reliable
3433 stream of doctors for high-need communities. And this kind
3434 of investment is exactly what we need to increase access to
3435 primary care in underserved areas.

3436 This is what you call a win-win for everyone, and I urge
3437 my colleagues to support the proposal, and again thank the
3438 chairwoman, and yield back.

3439 *Mr. Guthrie. [Presiding] The gentleman yields back.
3440 The chair now recognizes Mr. Carter from Georgia for five
3441 minutes to speak on the amendment.

3442 *Mr. Carter. Mr. Chairman, I move to strike the last
3443 word.

3444 *Mr. Guthrie. The gentleman is recognized.

3445 *Mr. Carter. Mr. Chairman, I would like to add my
3446 support for the amendment in the nature of a substitute to
3447 the PATIENT Act and the bipartisan bills that I am leading
3448 which were included.

3449 I am pleased to see that my Drug Price Transparency in
3450 Medicaid Act is included in this bill, which will bring
3451 transparency to the Medicaid program and address some of the
3452 most egregious practices of PBMs. This bill would protect

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3453 patients, pharmacists, and taxpayers from the abusive
3454 practices of PBMs. For years, PBM practices in Medicaid-
3455 managed care have obscured the true cost of prescription
3456 drugs, wasted hundreds of millions of taxpayers' dollars, and
3457 devastated community pharmacies by engaging in a practice
3458 known as spread pricing.

3459 In spread pricing, PBMs charge state Medicaid-managed
3460 care programs more for prescription drugs than they reimburse
3461 pharmacies, allowing the PBMs to pocket the difference, or to
3462 spread, as excess profit. One managed care company has
3463 already paid out over \$400 million to settle state
3464 investigations arising out of their spread pricing practices,
3465 and has set aside more than \$1 billion to resolve claims
3466 across the country.

3467 This legislation puts an end to the PBM games by
3468 prohibiting spread pricing and, as a result, will save
3469 taxpayers more than \$1 billion so that states can further
3470 invest into the needs of their communities.

3471 This legislation also increases transparency by
3472 requiring passthrough pricing while utilizing the
3473 strengthening NADAC, which stands for the National Average
3474 Drug Acquisition Cost. NADAC is administered by CMS as a

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3475 public benchmark based on drug acquisition costs reported by
3476 retail pharmacies across the country, and represents the most
3477 transparent and accurate market-based pricing available
3478 today. By utilizing and strengthening NADAC, states,
3479 taxpayers, and pharmacies will know the true cost of
3480 prescription drugs.

3481 On top of NADAC, this legislation brings transparency
3482 and fairness to community pharmacies by allowing them to be
3483 reimbursed at an appropriate rate for dispensing medications
3484 to Medicaid patients. As we all know, pharmacists are one of
3485 the most accessible health care professionals in America: 95
3486 percent of all Americans live within 5 miles of a pharmacy.
3487 These are the people in our communities that care for our
3488 country's most vulnerable patients. Yet because of unfair
3489 and deceptive acts like spread pricing in the Medicaid-
3490 managed care system, four percent of independent pharmacies
3491 close every year. This bill finally puts a stop to that.

3492 The Drug Price Transparency in Medicaid Act ensures
3493 community pharmacies will be treated fairly, and will not be
3494 driven out of business by large PBMs while they care for this
3495 nation's most vulnerable patients.

3496 I am also pleased to support the Pharmacy Benefit

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3497 Managers Accountability Act, which was also included in this
3498 bill. In Congress we are focused on increasing the
3499 accessibility, affordability, and quality of health care.
3500 And we know that Pharmacy Benefit Managers' anti-competitive
3501 tactics are driving up health care costs for Americans and
3502 harming patient care. That is why the PBM Accountability Act
3503 is an important first step towards bringing down prescription
3504 drug prices by addressing the root cause: the middlemen that
3505 prey on patients for profits.

3506 This legislation will increase reporting requirements of
3507 PBMs to shed a light on the opaque drug pricing system they
3508 use. This will empower patients and drive competition to
3509 ultimately make health care more affordable and accessible
3510 for patients, and potentially save the Federal Government
3511 over \$2 billion for the next 10 years.

3512 I applaud this committee for taking this critical first
3513 step in increasing transparency and accountability on these
3514 middlemen. I would like to thank my colleagues on both sides
3515 of the aisle for working with me on these important issues,
3516 and I would ask all of my colleagues on this committee to
3517 support this legislation.

3518 Thank you, Mr. Chairman, and I yield back.

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3519 *Mr. Guthrie. Would the gentleman yield to me?

3520 *Mr. Carter. I will. I will yield.

3521 *Mr. Guthrie. Thank you. I will just take a minute
3522 instead of my own time on the bill.

3523 These are an important series of bills and hearings, and
3524 everybody worked together and bipartisan. And the whole
3525 intent of it, one, is we have to reauthorize programs to get
3526 health care workers in the field, as we know -- and we hear
3527 from everybody in the health care industry -- well, all
3528 industry, quite honestly, is that -- how difficult it is to
3529 get people into health care. So this is -- addresses
3530 workforce.

3531 The other big part of it is the transparency. And we
3532 want individuals or the businesses that apply -- that supply
3533 employer benefits to be able to understand what the prices
3534 are, and what the costs are, so that people can make the best
3535 choices.

3536 And the other is what we have seen is innovators who
3537 come into the space. If they can get access to the
3538 information, we have seen some say, "We will argue drugs at
3539 -- pharmaceuticals at cost plus a handling fee," instead of
3540 this system of rebates. We have also seen some insurance

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3541 companies that will write checks to people if they get
3542 coverage under the average price.

3543 So this is important for innovating in our health care
3544 system and giving information, making it available.

3545 And I will yield back to the gentleman from Georgia, who
3546 yields back.

3547 *Mr. Carter. And I yield.

3548 *Mr. Guthrie. The gentleman yields back. Is there
3549 anyone else seeking discussion on the ANS?

3550 Dr. Ruiz from California.

3551 *Mr. Ruiz. Yes, I move --

3552 *Mr. Guthrie. You are recognized for five minutes.

3553 *Mr. Ruiz. -- to strike the last word.

3554 *Mr. Guthrie. You are recognized.

3555 *Mr. Ruiz. I appreciate it. I am thrilled that every -
3556 - after years of advocacy on behalf of the Teaching Health
3557 Center Graduate Medical Education Program, this bill both
3558 extends funding for six years and expands the program even
3559 further. Along with the chair and ranking member of the
3560 overall committee, this has been a top priority for me as a
3561 doctor who grew up, practiced medicine, and now represents a
3562 community that is desperate for more physicians.

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3563 This program has proven to be highly successful in not
3564 only training doctors in underserved areas, but also in
3565 retaining doctors in those communities or similar sites of
3566 care. As we all know, health centers are the backbone of
3567 many of our districts. Training doctors in the communities
3568 that need them most just seems like common sense. So I
3569 applaud the committee for making this program a priority.

3570 It goes beyond common sense. In fact, it has shown that
3571 where you are from and where you train are the two best
3572 predictors of where you are going to practice. So taking
3573 students, pre-med students, training them in their
3574 underserved communities increases the likelihood that they
3575 will practice in the underserved community. And I am sure
3576 that many of you, like myself, have heard from health centers
3577 either currently in the program or those hoping to be in it
3578 in the future advocating for stable and predictable funding.

3579 And while I support the permanent funding of the program
3580 in the DOC Act, which I introduced with Ranking Member
3581 Pallone, I am pleased with the stability and certainty that
3582 comes with a six-year extension, which will help teaching
3583 health centers recruit medical students and plan for the
3584 future.

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3585 I am also pleased that the bill that I introduced with
3586 Congressman Cole, H.R. 2547, the Special Diabetes Program for
3587 Indians Reauthorization Act of 2023, is included in this
3588 bill. American Indian and Alaska native populations have the
3589 highest prevalence of diabetes in the United States, and the
3590 resources this program provides to tribal communities has a
3591 significant and lasting impact in my district and across the
3592 country.

3593 Diabetes is the seventh leading cause of death and the
3594 number one cause of kidney failure, lower limb amputation,
3595 and adult blindness, and many issues related to diabetes are
3596 preventable with the correct disease management and
3597 treatment. But as an emergency medicine physician, I would
3598 frequently treat patients coming into the emergency
3599 department with preventable diabetes-related emergencies.

3600 We must do more to reduce the incidence and mortality
3601 rates of diabetes, and this program is critical in doing just
3602 that. I urge my colleagues to support the Teaching Health
3603 Centers GME Program and the Special Diabetes Program for
3604 Indians, as well as the underlying legislation, and I yield
3605 back.

3606 *Mr. Guthrie. The gentleman yields back. Just so

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3607 people -- because they have been raising their hands -- I
3608 have a gentlelady from Florida, Massachusetts, and Texas
3609 here, and somebody -- anybody else wants -- and then now I
3610 have Dr. Joyce on the majority side.

3611 Dr. Joyce, you are recognized for five minutes to speak
3612 on the amendment.

3613 *Mr. Joyce. Mr. Chair, I move to strike the last word.

3614 Thank you, Mr. Chair. I would like to add my support to
3615 the amendment in the nature of the substitute before us today
3616 to appropriately rename PATIENT Act, which would make crucial
3617 reforms to our health care system by increasing transparency
3618 and lowering costs for the end user of our system.

3619 Specifically, I would like to briefly highlight the
3620 bipartisan legislation, H.R. 3237, included as part of this
3621 package and introduced by myself and Representative Sarbanes.
3622 H.R. 3237 would require hospitals to more clearly report to
3623 CMS on what services are occurring at each of their
3624 outpatient departments through a unique identification number
3625 at each facility.

3626 This legislation codifies recommendations from a 2016
3627 HHS IG report that will ensure that our seniors are not
3628 paying higher co-pays inadvertently for care billed in the

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3629 incorrect setting.

3630 I am pleased to again mention the inclusion of H.R.
3631 2559, the Strengthening Community Care Act, which I
3632 introduced along with Chairwoman Stefanik, Representative
3633 Blunt Rochester, and Representative Fletcher earlier this
3634 year. I would like to thank all of the co-leads for this
3635 piece of legislation which would extend the Community Health
3636 Care Center for the next two years, while also providing
3637 crucial resources to support work provided by these centers.
3638 This bill contains a critical increase in funding while
3639 ensuring these dollars are fully offset.

3640 I would also like to thank my colleagues in the
3641 committees for working through the weekend to include a
3642 needed technical fix to this bill to ensure access to
3643 essential medicines for Medicaid patients.

3644 Thank you, Mr. Chairman, and I urge the adoption of the
3645 ANS, and yield the balance of my time.

3646 *Mr. Guthrie. The gentleman yields back.

3647 So I got a list from the majority side -- minority side,
3648 so this is the order that I will call, just so everybody
3649 knows, so they don't have to raise their hand every time, and
3650 they know they are going to be called on.

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3651 Doctor -- I mean the gentlelady Schakowsky, the
3652 gentlelady from Florida -- the gentlelady from Illinois, the
3653 gentlelady from Florida, and the gentleman from New York, the
3654 gentlelady from New York, the gentlelady from New Hampshire,
3655 the gentlelady from Delaware, the gentlelady from
3656 Massachusetts, and the gentlelady from Texas.

3657 So I will begin by recognizing -- for what purpose does
3658 the gentlelady from Illinois seek recognition?

3659 *Ms. Schakowsky. Thank you.

3660 *Mr. Guthrie. To speak on the amendment? You are
3661 recognized for five minutes.

3662 *Ms. Schakowsky. Thank you, Mr. Chairman. I seek to
3663 strike the last word.

3664 So I would say I am really excited to see that my bill,
3665 along with Congressman Bilirakis, the Reporting on Ownership
3666 Information of Health Systems. And so this is a bill about
3667 transparency -- health, specifically, we are talking about.

3668 [Pause.]

3669 *Ms. Schakowsky. Well, let me continue this way. Since
3670 2010 there have been 310 consolidations between hospitals and
3671 health systems.

3672 There is also -- it is also shown that the private

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3673 equity owners at the -- at -- have -- that the presence of
3674 private equity has increased 30 percent in the last --
3675 really, just the last few years. And I am concerned that
3676 hospital consolidation has resulted in the increase in health
3677 care costs from -- for both hospitals and health systems.

3678 And I am deeply concerned about the quality of the care
3679 that is received at hospitals and physician practices that
3680 are owned by private equity. We have seen what has happened
3681 with private equity over the years when it comes to nursing
3682 homes, and now we are seeing that extending into hospitals,
3683 as well. We have seen that private equity, equity owners,
3684 often put profits over the people. This is about making
3685 money -- these aren't health care organizations -- and focus
3686 only on the most lucrative of institutions.

3687 And so H.R. 3262 will help give a much greater sense of
3688 transparency so that we know what is happening in hospitals
3689 and to provide ownership information. This kind of
3690 information would not necessarily prevent private equity, but
3691 we would know then exactly who is owning these institutions,
3692 and who is making money that way.

3693 And so I look forward to working with all of you and
3694 getting a vote, a positive vote, on 3262. And again, I want

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3695 to thank Representative Bilirakis. We have worked together
3696 so well, and I hope all of you will support this legislation,
3697 and I yield back.

3698 *Mr. Guthrie. The gentlelady yields back. Is anyone
3699 seeking recognition for the purpose of discussion on the
3700 amendment from the Republican side?

3701 Seeing none, the gentlelady from Florida, for what do
3702 you seek recognition?

3703 *Ms. Castor. I move to strike the last word, Mister --

3704 *Mr. Guthrie. The gentlelady is recognized.

3705 *Ms. Castor. Well, thank you, Mr. Chairman. I rise in
3706 strong support of the important public health
3707 reauthorizations contained in this legislation for Community
3708 Health Centers, for the National Health Service Corps, and
3709 the Teaching Health Center GME because across Florida and
3710 across the country these initiatives are the backbone of our
3711 public health infrastructure. They help to keep our
3712 neighbors healthy and well.

3713 Local Community Health Centers are -- also are critical
3714 economic engines, as well. And just in 2021, in my Tampa Bay
3715 area congressional district, they attracted \$23.5 million in
3716 Federal investments to serve over 243,000 of my neighbors.

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3717 And my community is very well served by Evara Health and
3718 Tampa Family Health Centers. All of the clinics, the
3719 doctors, the pediatricians, the dentists, the cancer
3720 screeners, and more, they are just incredible partners. They
3721 were instrumental, just fundamental to keeping people healthy
3722 and well during the COVID-19 pandemic. And now they are
3723 helping families deal with the Medicaid unwinding.

3724 So there are certain stresses in the flow of dollars,
3725 especially in a high-growth community where you have many
3726 working-class families. When you add those stresses, along
3727 with the discontinuation of certain Federal funding sources,
3728 a labor shortage, other fiscal pressures, they are really
3729 taking their toll. So they need the increased support that
3730 is provided in this bill to sustain their high-quality care.

3731 It is also critical to provide robust support to the
3732 National Health Service Corps, which can help address these
3733 labor shortages by expanding the pool of health care
3734 providers serving in Community Health Centers and other
3735 medically underserved areas. By supporting the National
3736 Health Service Corps, we are supporting our Community Health
3737 Centers, yes, but mainly we are supporting the -- our
3738 neighbors and the patients that they serve.

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3739 And again, Avera and Tampa Family Health Centers, they
3740 have -- they are ready to innovate. They have just been
3741 approved to become Teaching Health Centers. That will help
3742 them play a vital role in training the next generation of
3743 health care professionals to serve my neighbors across the
3744 Tampa, the growing Tampa Bay area.

3745 I am thrilled, as well, that over the next six years
3746 this bill will double the current fundings for Teaching
3747 Health Centers to give more doctors the financial incentives
3748 to practice where they are needed most.

3749 So, together, these three initiatives will improve the
3750 lives of our neighbors back home, improve their health, and I
3751 look forward to broad bipartisan support here.

3752 And Mr. Chairman and Ranking Member Eshoo, and to Chair
3753 McMorris Rodgers, and Ranking Member Pallone, and all the
3754 professional staff and the outside advocates, I thank you
3755 very much for all of your hard work on these bills, and I
3756 hope we can all support it moving forward.

3757 Thanks so much. I yield back.

3758 *Mr. Guthrie. Thank you. The gentlelady yields back.
3759 Is anyone else seeking recognition for purposes of the spoken
3760 -- speaking on the amendment?

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3761 Seeing no one on the Republican side, Mister -- the
3762 gentleman from New York, for what purpose do you seek
3763 recognition?

3764 *Mr. Tonko. Mr. Speaker, I move to strike the last
3765 word.

3766 *Mr. Guthrie. The gentleman is recognized.

3767 *Mr. Tonko. Mr. Speaker? Mr. Chair. While there are
3768 many parts of this bill that I am pleased to support, I do
3769 want to express my concerns, my deep concerns about the site-
3770 neutral cuts on hospitals.

3771 I have hospitals in my region that have truly struggled
3772 and have been hurting. Many of these same hospitals have
3773 been hit especially hard over the last few years. They have
3774 managed very well with very strained resources to address the
3775 COVID response, and yet they provide services in communities
3776 where other health services simply do not. If it were not
3777 for these hospitals, there would be a vacuum of care for my
3778 constituents.

3779 I also recognize that hospitals don't get to pick their
3780 patients in the way that other parts of our health system,
3781 unfortunately, can do. In the capital region our hospitals
3782 provide access to care for those who need it the most. With

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3783 that in mind, I am concerned that these efforts may pull the
3784 foundation out from hospitals that are indeed struggling.

3785 I, too, want to cut costs and save money where it makes
3786 sense, but I fear this could have real unintended
3787 consequences for my communities. I am pleased to see the DSH
3788 cuts elimination included in this package, but I remain
3789 concerned that with one hand we are helping our hospitals and
3790 with the other we are removing needed resources that allow
3791 the hospital to support our communities.

3792 I will vote in favor of the overall package, but I do
3793 hope we can continue to have conversations before this effort
3794 moves to the floor.

3795 With that, Mr. Chair, I yield back the remainder of my
3796 time.

3797 *Mr. Guthrie. The gentleman yields back. Is anyone
3798 seeking recognition for purpose of a discussion on the
3799 amendment?

3800 Seeing none -- for what does the gentlelady from New
3801 York seek recognition?

3802 *Ms. Clarke. Mr. Chairman, I move to strike the last
3803 word.

3804 *Mr. Guthrie. The gentlelady is recognized.

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3805 *Ms. Clarke. Thank you, Mr. Chairman. I am proud that
3806 my bipartisan bill, H.R. 2665, the Supporting Safety Net
3807 Hospitals Act, has been included in today's manager's
3808 amendment. This bipartisan effort delays the \$8 billion
3809 Medicaid Disproportionate Share Hospital -- known as DSH -
3810 cuts, which are currently scheduled to begin October 1st
3811 until 2026.

3812 DSH payments are a lifeline for the safety net hospitals
3813 that care for the economically disadvantaged and the sickest
3814 patients in our health care system. Rural and urban safety
3815 net hospitals cannot absorb losses of this magnitude, and I
3816 am relieved that Congress is acting to avert these
3817 devastating cuts.

3818 I thank my colleagues, Representatives Crenshaw,
3819 DeGette, and Burgess, for sponsoring this bill with me and
3820 for your leadership on this critical issue.

3821 However, Mr. Chairman, I am extremely disappointed that
3822 my DSH legislation has been paired together with a site-
3823 neutral cut to hospital outpatient departments. Hospital
3824 outpatient departments see patients who most urgently need
3825 services, those with nowhere else to turn. Many of my
3826 constituents in Brooklyn, New York are among thousands of New

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3827 Yorkers and millions of Americans who live in underserved
3828 areas rely on these facilities every day for their most
3829 fundamental health care needs.

3830 There is nothing neutral about the site-neutral cuts
3831 that has now compromised the -- I am sorry, the urgent need
3832 of the DSH - excuse me, of the DSH dispensation that our
3833 safety net hospitals so desperately require. This policy is
3834 a calculated, shameful blow to our most essential providers
3835 in underserved communities. It will exacerbate existing
3836 financial challenges for hospitals and cripple those who
3837 already operate on the constant brink of closure.

3838 The challenges site-neutral policies impose on our
3839 health care system will ripple through our communities and
3840 impact our most vulnerable populations. Outpatient
3841 departments mitigate patients going to the hospital in the
3842 first place, saving money and resources.

3843 You all may remember at the beginning of the COVID-19
3844 pandemic my state, specifically my city, New York City, was
3845 hit the hardest, and frontline hospital workers were
3846 extremely crucial to addressing the evolving needs of the
3847 pandemic.

3848 With that, Mr. Chairman, I yield back.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

3849 *Mr. Guthrie. The gentlelady yields back. Is anyone
3850 seeking recognition for purposes of discussion on the
3851 amendment?

3852 Seeing none, none on the Republican side, for what
3853 purpose does the -- I am sorry, Mr. Griffith. For what
3854 purpose do you seek recognition?

3855 *Mr. Griffith. I seek recognition to offer an amendment
3856 to the amendment in the nature of a substitute.

3857 *Mr. Guthrie. I think we are still discussing the
3858 amendment in the nature of a substitute, I am sorry.

3859 *Mr. Griffith. Okay. That is what Grace told me to do.
3860 [Laughter.]

3861 *Voice. If there is no one else -

3862 *Mr. Guthrie. We are still speaking on --

3863 *Voice. Oh, there --

3864 *Mr. Guthrie. There is people speaking, I am sorry.

3865 *Mr. Griffith. Oh, I am sorry. I thought we were
3866 finished.

3867 *Mr. Guthrie. The gentlelady from Delaware, for what
3868 purpose do you seek recognition?

3869 *Ms. Blunt Rochester. I move to strike the last word.

3870 *Mr. Guthrie. The gentlelady is recognized.

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3871 *Ms. Blunt Rochester. Thank you, Mr. Chairman.

3872 I am proud of the bipartisan collaboration on the
3873 PATIENT Act, especially the reauthorization of several
3874 important public health programs and the cancellation of
3875 scheduled Medicaid Disproportionate Share Hospital cuts,
3876 otherwise known as DSH cuts.

3877 I am particularly pleased at the progress we have made
3878 on the reauthorization of the Community Health Center Fund
3879 and National Health Service Corps that is based on H.R. 2559,
3880 the Strengthening Community Care Act, a bill I co-authored
3881 with my colleagues, Representatives Fletcher, Joyce, and
3882 Stefanik.

3883 The PATIENT Act would extend the Community Health Center
3884 Fund and National Health Service Corps for over two years,
3885 and includes a much-needed increase. Although the increase
3886 does not fully address the financial challenges health
3887 centers are facing, this legislation will provide near-term
3888 stability and predictability to health centers nationwide.

3889 A strong health care center network is integral to
3890 promoting health equity and increasing access to primary and
3891 preventative care to people at every stage of life. This
3892 makes the timely reauthorization of this program all the more

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3893 critical.

3894 The National Health Service Corps is another important
3895 program we are reauthorizing today. This program directly
3896 mitigates health care provider shortages by bringing
3897 physicians, nurses, and dentists to the country's most
3898 underserved areas. In exchange for their commitment to an
3899 underserved community, the program provides loan repayment
3900 and scholarships to over 20,000 providers nationally.

3901 Failure to continue this program would exacerbate the
3902 health care provider shortages already impacting nearly every
3903 community in America. So I applaud my colleagues for their
3904 work to ensure the timely reauthorization of this program.

3905 Finally, I am pleased that we are supporting our
3906 hospitals by canceling the cuts to the Medicaid
3907 Disproportionate Share Hospital program. The Medicaid DSH
3908 program helps hospitals close budget gaps from providing care
3909 to un and under-insured people, thereby providing financially
3910 -- financial stability and the ability to continue serving
3911 our nation's most vulnerable. Without this bill, hospitals
3912 face an \$8 billion annual cut which would fall hardest on our
3913 safety net hospitals.

3914 I am pleased we will continue providing vital support to

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3915 our hospitals, and I urge my colleagues to support this bill.

3916 Thank you, and I yield back.

3917 *The Chair. [Presiding] The gentlelady yields back.

3918 The chair recognizes Mrs. Trahan for five minutes to strike

3919 the last word.

3920 *Mrs. Trahan. I move to strike the last word in support

3921 of the underlying bill.

3922 *The Chair. The gentlelady is recognized.

3923 *Mrs. Trahan. I thank the chair.

3924 In the district I represent, Greater Lawrence Family

3925 Health Center proudly operates a Teaching Health Center. In

3926 fact, it was the first Teaching Health Center established

3927 under HRSA's Teaching Health Centers GME Program more than a

3928 decade ago. Since then, hundreds of residents have graduated

3929 from their program, including 11 this year. And as we speak,

3930 another 32 residents are currently training in their 4-year

3931 curriculum that exposes family medicine specialists to an

3932 array of medical needs in one of the most diverse communities

3933 in Massachusetts.

3934 The success we have seen at Greater Lawrence Family

3935 Health Center is far from an outlier. In fact, during the

3936 past academic year, THC GME Program supported nearly 1,000

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3937 residents at 72 Community Health Centers across the country.
3938 And as Congressman Ruiz mentioned, many of those physicians
3939 will go on to serve traditionally underserved communities
3940 that their health centers cater to.

3941 A HRSA Commission study found that 82 percent of
3942 Teaching Health Center GME residents will go on to practice
3943 in the specialties they trained in, and over half will
3944 practice in medically underserved areas. That means that,
3945 with each passing academic year, we are adding more and more
3946 trained physicians in communities that desperately need
3947 primary care specialists: something that is more important
3948 than ever, as we face critical workforce shortages across the
3949 health care industry.

3950 Recently, Lowell Community Health Center, the health
3951 center based in my hometown, received a grant to plan and
3952 develop a new Teaching Health Center primary care residency
3953 training program in family medicine. This is particularly
3954 exciting for those of us who have seen the tremendous results
3955 down the road in Lawrence and want to replicate that in
3956 Lowell.

3957 However, while HRSA awarded more than 90 planning and
3958 development grants over the past 3 years, there are

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3959 challenges for health centers to achieve THC status. That is
3960 why I am particularly pleased that our bill today would
3961 reauthorize this program for six years, the longest period
3962 this committee has ever reauthorized it, and would permit
3963 greater certainty for medical students. This will allow for
3964 Community Health Centers like Lowell to have greater clarity
3965 and certainty that they will be able to build up their THC
3966 Program beyond the planning and development stage.

3967 I thank my colleagues on the committee for their support
3968 for this program, and I look forward to working with them to
3969 make this funding permanent to provide even greater assurance
3970 for THC programs across the country.

3971 Madam Chair, I would also like to underscore the
3972 importance of ensuring health centers aren't left hanging out
3973 to dry if there is a funding cliff later this year.
3974 Community Health Centers in Massachusetts alone serve more
3975 than one million patients each year, and the grant funding we
3976 are moving through committee today is critical to their
3977 operations. We must ensure that there is not a loss of
3978 funding, which would be devastating as we continue to improve
3979 access to health care for all communities.

3980 And finally, as this committee continues this important

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3981 work of lowering health care costs for hardworking families,
3982 promoting price transparency, and encouraging competition
3983 among providers, it is imperative that we keep in mind the
3984 essential hospitals across our nation who have been on the
3985 front lines for the past three years, helping us navigate
3986 extremely challenging times.

3987 Many safety net hospitals continue to struggle
3988 financially today, and we have a duty to ensure these
3989 hospitals can keep their doors open and continue delivering
3990 the best care possible in the communities they serve. That
3991 is why I am working with some members on our committee to
3992 draft and pass a Federal definition of "essential hospitals" '
3993 to set the basis for more appropriate reimbursement for these
3994 facilities. I am eager to partner with my colleagues on both
3995 sides of the aisle on this important issue.

3996 I thank the chair once again, and I yield back the
3997 balance of my time.

3998 *The Chair. The gentlelady yields back. The chair
3999 recognizes Mrs. Fletcher for five minutes to strike the last
4000 word.

4001 *Mrs. Fletcher. Thank you, Chairwoman McMorris Rodgers.
4002 I am glad that the bipartisan Strengthening Community

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4003 Care Act is included in H.R. 3561. And like our colleagues,
4004 Representatives Joyce and Blunt Rochester, who have spoken
4005 already on this bill, as well as Congresswoman Stefanik, I
4006 want to thank them for working with me on this critical
4007 legislation to reauthorize Federal funding for Community
4008 Health Centers and the National Health Service Corps through
4009 2028.

4010 This reauthorization includes a much-needed increase in
4011 funding that will provide health care centers and health care
4012 providers the tools and resources they need to ensure
4013 positive health outcomes. And these Community Health Centers
4014 play an essential role in providing health care to vulnerable
4015 populations in my district in Houston and more than 30
4016 million Americans across our country.

4017 Community Health Centers are particularly critical in
4018 Texas, where we, unfortunately, have the highest uninsured
4019 population in the country, something that we can and should
4020 address by expanding Medicaid. But in Houston alone, these
4021 health centers serve more than 322,000 patients, 40 percent
4022 of them uninsured.

4023 The National Health Service Corps ensures that these
4024 health centers continue to have the health professionals that

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4025 they need to provide quality care. So I am glad to see this
4026 important bill advance through the committee, and I thank you
4027 for including it in the bill.

4028 And with that, I yield back.

4029 *The Chair. The gentlelady yields back. Is there
4030 further discussion?

4031 Any further amendments?

4032 Mr. Griffith.

4033 *Mr. Griffith. Madam Chair.

4034 *The Chair. Yes.

4035 *Mr. Griffith. I would like to now make an amendment to
4036 the amendment in the nature of a substitute currently before
4037 us.

4038 *The Chair. The gentleman -- the clerk will report the
4039 amendment.

4040 *The Clerk. Amendment to the amendment in the nature of
4041 a substitute to H.R. 3561, offered by Mr. Griffith. Page 33,
4042 line 19, strike "companies," and insert "funds"; page 35,
4043 line 20, strike "company," and insert "fund"; page 35, line
4044 21, strike "company," and insert "fund"; page 35, line 21,
4045 strike "fund" and all that follows, and insert "fund, has
4046 the meaning given such term, such term ends, section 279.9."

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4047 *The Chair. Is dispensed with.

4048 [The amendment of Mr. Griffith follows:]

4049

4050 *****COMMITTEE INSERT*****

4051

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4052 *The Chair. The gentleman is recognized for five
4053 minutes.

4054 *Mr. Griffith. Thank you, Madam Chair.

4055 The amendment to the amendment in the nature of a
4056 substitute adds technical changes -- that you were just
4057 riveted by -- in part. And it also includes H.R. 3285, the
4058 Fairness for Patient Medications Act, which was approved by
4059 the subcommittee, and I am pleased to talk about that for a
4060 couple of minutes, if I might.

4061 We buy health insurance so that if we get sick we are
4062 not financially devastated by the high cost associated with
4063 the health care that we receive. That said, costs are too
4064 high.

4065 With respect to prescription drugs, we have heard in our
4066 hearings that the so-called incentives from PBMs to insurers
4067 can actually lead to patients paying higher prices for
4068 certain medicines. It can even mean a patient could, in some
4069 cases, pay more for a medicine than the insurance company
4070 with whom they have coverage.

4071 Using competition to lower prices makes sense, but using
4072 competition to raise prices by limiting access to the
4073 marketplace is unconscionable. That is why I introduced the

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4074 Fairness for Patient Medications Act, which is going to be
4075 incorporated now into the ANS to ensure that the insurance
4076 companies and PBMs cannot charge patients more than the price
4077 that they themselves negotiate for certain drugs.

4078 Under my bill the Secretary of HHS will use existing
4079 reporting data to certify a highly rebated drug as any drug
4080 whose rebates' discounts equal 50 percent or more than
4081 spending on the drug. If the drug is highly rebated, a
4082 patient would not be required to pay more than the insurance
4083 company is paying for the drug from the previous year, once
4084 all of the discounts are accounted for. For a highly rebated
4085 drug, patients won't pay more than the insurer pays for the
4086 drug. This is common-sense legislation, and we have to
4087 follow the bouncing ball, and it gets complicated.

4088 But PBMs can pit manufacturers against one another to
4089 see who will offer them the largest rebates for competing
4090 medicines. The winners get preferred access to patients
4091 enrolled in health insurance plans serviced by those PBMs.
4092 So manufacturers are rewarded with market access by making
4093 list prices higher. Higher prices allow manufacturers to
4094 give PBMs higher rebates. But even with the rebates, PBMs
4095 are often paid a percentage of the list price, so they make

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4096 more money if the list price is higher.

4097 Further, even though the final price of the drugs after
4098 rebates may be significantly less than the list price, to
4099 some patients these list prices matter. Some health
4100 insurance plans actually base what a patient pays at the
4101 pharmacy as a percentage of the drug's list price, and some
4102 still pay cash. This bill will ensure that patients receive
4103 the savings from those rebates, not the PBMs.

4104 During our legislative hearing on April 26th, the
4105 Pharmaceutical Care Management Association, the trade
4106 association for PBMs, told me they were actually aware of
4107 patients paying more than the price the insurers charge in
4108 certain circumstances. According to one estimate, a five
4109 milligram oral tablet of Eliquis, a common blood clot drug,
4110 has an estimated net price after rebates of \$73.14. This
4111 should be the maximum price that a patient has to pay.
4112 Instead, the drug has an estimated retail price of \$387.39.
4113 This is the cost the insurers can charge because of a rebate
4114 system middlemen PBMs use that raises the list price of
4115 medicines.

4116 In other words, if your copay is 20 percent of the list
4117 price, you could actually pay more in a so-called co-pay than

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4118 your insurer is paying for the medicine. This bill will
4119 ensure patients with insurance would not pay more than the
4120 net price paid by their insurance company. It is a common-
4121 sense bill for fairness, and I hope that it will be adopted,
4122 this amendment will be adopted so it becomes a part of the
4123 underlying ANS, and then it will go on to the floor to be
4124 passed, and hopefully the Senate will concur.

4125 And I yield back.

4126 *The Chair. The gentleman yields back. Is there
4127 further discussion on the amendment?

4128 The chair recognizes the ranking member for five minutes
4129 on the amendment.

4130 *Mr. Pallone. Thank you, Madam Chair.

4131 This bipartisan bill will require hospitals and
4132 physician practices to disclose ownership data, including for
4133 entities owned by private equity firms and venture capital
4134 firms. And the bill will help increase transparency of
4135 hospital ownership and provide greater insight into hospital
4136 and provider consolidation.

4137 We heard from experts during the Health Subcommittee
4138 hearings how consolidation, particularly from private equity,
4139 is leading to higher health care prices for consumers.

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4140 Billions of dollars are being invested into the health care
4141 system by private entities, many with unclear ownership
4142 structures. And what we are seeing in health care is that
4143 these investments are, in many cases, being used to extract
4144 all the value out of health care providers, ultimately
4145 leading to collapse of hospitals and practices, and leaving
4146 communities without options. Earlier this year, Envision
4147 Health Care, backed by private equity firm KKR, filed for
4148 bankruptcy.

4149 Our health care infrastructure is becoming increasingly
4150 unstable because of these practices. Policymakers and
4151 regulators need better visibility into the ownership
4152 structures, particularly from private equity and venture
4153 capital firms that have led to reducing patient access and
4154 increasing prices for consumers.

4155 My understanding is that we share the same policy goal.
4156 There can be no loopholes for private equity firms to avoid
4157 the transparency required under this bill, and I believe it
4158 is critical that we get this right. And my understanding is
4159 that -- and I am, of course, referring to you, Madam Chair --
4160 I believe it is critical that we get this right, and my
4161 understanding is that you share the same goals, and that we

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4162 will work together to ensure that the definitions in this
4163 bill do not allow anyone to escape security because I think
4164 it is critical that we shine a light on ownership at all
4165 levels of our health care system.

4166 And I yield to you or -- at this point.

4167 *The Chair. That would be great. Thank you, I
4168 appreciate the gentleman yielding.

4169 I understand the importance of getting the reporting
4170 provision right. We need to be able to understand the entire
4171 scope of consolidation within the health care system.

4172 And our system is complex. Getting those answers will
4173 require careful, technically sound policy. I commit to
4174 working with Mr. Pallone to ensure that the bill is
4175 technically sound, and get us those answers.

4176 I yield back.

4177 *Mr. Pallone. And thank you, and I yield back, as well.

4178 *The Chair. The gentleman yields back. Is there
4179 further discussion on the amendment?

4180 Seeing none, the vote occurs on the Morgan Amendment to
4181 the ANS.

4182 All those in favor, say aye.

4183 Those opposed, nay.

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4184 The ayes have it. The amendment is adopted.

4185 Are there further amendments, further amendments?

4186 Mr. Pallone is recognized.

4187 *Mr. Pallone. I have an amendment at the desk. Thank
4188 you, Madam Chair. It is H3561FedAMD02.

4189 *The Chair. The clerk will report the amendment.

4190 *The Clerk. Amendment to the amendment in the nature of
4191 a substitute to H.R. 3561 -

4192 *The Chair. Without objection, the reading of the
4193 amendment is dispensed with.

4194 [The amendment of Mr. Pallone follows:]

4195

4196 *****COMMITTEE INSERT*****

4197

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4198 *The Chair. I recognize Mr. Pallone for five minutes on
4199 the amendment.

4200 *Mr. Pallone. Thank you, Madam Chair.

4201 I am proud to offer this amendment to the PATIENT Act
4202 that will extend funding for critical public health programs
4203 for an additional 3 months, ensuring that they are fully
4204 funded through calendar year 2025.

4205 This amendment will provide additional funds and a
4206 longer authorization for Community Health Centers, the
4207 National Health Service Corps, the National -- the Special
4208 Diabetes Program, and the Special Diabetes Program for
4209 Indians. These are crucial components of our health care
4210 safety net, and I am glad they will have the additional
4211 certainty that this funding will provide.

4212 This amendment also strengthens policies to bring lower-
4213 cost generic drugs to market faster by incorporating the full
4214 policy originally introduced by Representative Kuster. This
4215 policy will eliminate unnecessary, lengthy correspondence
4216 with FDA and generic drug sponsors regarding inactive
4217 ingredient formulations. The language further streamlines
4218 the application and development process for generic drug
4219 sponsors, and will bring more competition to the market.

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4220 So I want to commend Representative Kuster for
4221 continuing to fight for this language, and working to bring
4222 costs down for American families.

4223 And again, I want to thank the Chair for her willingness
4224 to work with us to arrive at this agreement.

4225 I am glad that these programs will have a longer runway
4226 of increased funding, and not have to suffer through
4227 uncertainty at the end of fiscal year 2025.

4228 And again, I am proud that we were able to arrive at
4229 this compromise, and urge my colleagues to join me in
4230 supporting this amendment.

4231 With that, I yield back, Madam Chair.

4232 *The Chair. The gentleman yields back. Is there
4233 further discussion on the amendment?

4234 Seeing none, the vote -- oh, yes, the lady from
4235 Michigan, Mrs. Dingell, is recognized for five minutes to
4236 strike the last word.

4237 *Mrs. Dingell. Thank you, Madam Chairwoman. I was
4238 going to offer an amendment and withdraw it, but I know we
4239 don't want to, and may still be here after general debate and
4240 votes today. But I do want to make a point for the record.

4241 I offered this amendment at the subcommittee level. We

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4242 need to be investing more, not less, in these community
4243 health services. They are really filling a need as the
4244 pandemic ends and people don't have access to health care.
4245 And it is more important than ever, because we may be done
4246 with COVID but COVID is not done with us. People need to not
4247 be afraid to go to the doctor, they need to be able to get
4248 the immunizations and the medicine they need.

4249 And I will make that point for the record, and not even
4250 offer the amendment. Thank you, and I yield back.

4251 *The Chair. The gentlelady yields back. Is there
4252 further discussion on the amendment?

4253 Seeing none, the vote occurs on the Pallone amendment to
4254 the ANS.

4255 All those in favor, say aye.

4256 Those opposed, nay.

4257 The ayes have it. The amendment is adopted. Is there -
4258 - are there further amendments?

4259 *Mrs. Fletcher. Madam Chair, I have an amendment at the
4260 desk.

4261 *The Chair. The clerk will report the amendment.

4262 *The Clerk. Amendment to the amendment in the nature of
4263 a substitute to H.R. 3561, offered by Mrs. Fletcher. Page

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4264 99, line 16 --

4265 *The Chair. Without objection, the reading of the
4266 amendment will be dispensed with.

4267 [The amendment of Mrs. Fletcher follows:]

4268

4269 *****COMMITTEE INSERT*****

4270

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4271 *The Chair. The lady is recognized, the gentlelady from
4272 Texas is recognized for five minutes on her amendment.

4273 *Mrs. Fletcher. Thank you, Chairwoman McMorris Rodgers.

4274 As I said earlier, I am glad that the Strengthening
4275 Community Care Act has been included in this bill. I am
4276 disappointed, however, that language applying the Hyde
4277 Amendment to the Community Health Center Fund and the
4278 National Health Service Corps is included in it. That is why
4279 I am introducing this amendment to strike the language
4280 including these provisions from this bill.

4281 The Hyde Amendment, which many on this committee are
4282 familiar with, has been used since 1976 to block Federal
4283 Medicaid funding for abortion services, and has been extended
4284 to other Federal programs.

4285 Every woman in the United States of America should be
4286 able to access the full range of reproductive health care
4287 services and to make her own decisions about her reproductive
4288 health care with autonomy and dignity. The Hyde Amendment
4289 stands in the way of this ability and of the fundamental
4290 equality of those whose care falls under it. This is really
4291 an issue of equality, fairness, and justice, and it affects
4292 real people, people that we all represent.

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4293 In my home state of Texas, which has effectively
4294 eliminated access to abortion care, we see vividly the
4295 effects that provisions like this one can have for patients
4296 denied access to care. I met recently with a Texas woman who
4297 was denied abortion care after she experienced pre-term, pre-
4298 labor rupture of membranes at 18 weeks of pregnancy. She was
4299 denied abortion care under Texas law. Three days later she
4300 showed signs of an infection and was diagnosed with sepsis,
4301 which my physician colleagues here know is a life-threatening
4302 condition. Although doctors then performed an emergency
4303 abortion, only once her life was clearly threatened, she
4304 spent the next three days in the ICU fighting for her life.
4305 She ultimately survived, but the infection caused permanent
4306 damage, compromising her ability to have children in the
4307 future.

4308 This is not an isolated story. There are a lot of
4309 stories like this that I am hearing from patients and
4310 providers, their doctors in my district in Houston, who
4311 cannot meet the standard of care for their patients, and they
4312 cannot meet them under these kinds of constraints. And this
4313 story, as I mentioned, isn't isolated. This patient and 12
4314 others are suing the State of Texas over this vague law that

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4315 prevents access to essential abortion care in circumstances
4316 like this, circumstances like what we may see here.

4317 And we have to ask the question, what happens to poor
4318 women in this situation? What happens to the women who are
4319 relying on Medicaid? What happens to women who are getting
4320 their care at Community Health Centers?

4321 As I said earlier, every woman, every woman in this
4322 country should be able to access the full range of
4323 reproductive health care services and to make her own
4324 decisions with autonomy and dignity. The Hyde Amendment, as
4325 I said, stands in the way of this, and that is why I hope
4326 that all of my colleagues here will join me by voting for
4327 this amendment and removing the Hyde Amendment from this
4328 important and good legislation.

4329 Thank you, and I yield back.

4330 *The Chair. The gentlelady yields back. The chair
4331 recognizes herself to strike the last word.

4332 As I said last week, abortion is the most divisive issue
4333 in America. It pierces my heart. It pierces every heart.
4334 The question before this committee today, as many times
4335 before, is whether taxpayer money should be used to fund
4336 abortions. We know the vast majority of Americans believe

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4337 taxpayer dollars should not be used to fund abortions or
4338 subsidize insurance plans that cover abortions.

4339 The Hyde Amendment has been the law of the land for
4340 decades, with support from both Republicans and Democrats.
4341 Specifically for Community Health Centers, Teaching Health
4342 Centers, and the National Health Service Corps, Hyde has
4343 always been applied to mandatory funding. The last three
4344 times we have provided mandatory funding, Congress has
4345 applied Hyde protections in a bipartisan way.

4346 However, the Democrats on our committee are now
4347 proposing to eliminate Hyde for these programs. It is just
4348 the latest example of the Democrats' extreme abortion agenda.
4349 Until recently, abandoning Hyde protections wasn't the
4350 position of President Biden, someone who once adamantly
4351 defended the Hyde Amendment.

4352 I want to be clear that I am not talking about people's
4353 opinions regarding legality of abortion or access to abortion
4354 services. The issue before us in this amendment today is
4355 whether it is right to federally subsidize abortion. It is
4356 not the will of the American people. They do not want to be
4357 forced to fund something with their taxpayer dollars that is
4358 against their conscience.

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4359 And I yield back. Is there further discussion?

4360 The chair recognizes the gentlelady from Washington for
4361 five minutes on the -- to strike the last word.

4362 *Ms. Schrier. Thank you, Madam Chair. I move to strike
4363 the last word, and I want to speak in support of Mrs.
4364 Fletcher's amendment because simply having the precedent of
4365 Congress doing the wrong thing many times in adding this Hyde
4366 Amendment to Federal spending packages doesn't mean it is the
4367 right thing to do.

4368 In fact, the vast majority of Americans understand that
4369 abortion care is routine health care, and that 25 percent of
4370 American women at some point in their lives will have an
4371 abortion.

4372 They also understand that whether you can access this
4373 basic medical care should not depend on your zip code, or
4374 your income, or whether you get your insurance through the
4375 military, or through the VA, or through Medicaid.

4376 And so I will speak in favor of this amendment. I
4377 encourage my colleagues to vote for it, and to reverse this
4378 very wrong precedent of putting this limitation on poor
4379 women.

4380 Thank you, I yield back.

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4381 *The Chair. The gentlelady yields back.

4382 *Mr. Bucshon. May I be brief, Madam Chair?

4383 *The Chair. Mr. Bucshon.

4384 *Mr. Bucshon. Yes, I want to challenge the gentlelady's
4385 data saying a fourth of American women will have an abortion
4386 at some time in their life. That is conflating the issue. I
4387 would like to see the data and where that stat is. Does that
4388 include ectopic pregnancies which aren't abortion? Does that
4389 include fetal demise, which isn't abortion? Does that --
4390 which Mrs. Fletcher mentioned? If it does, those are not
4391 abortions. We are talking about live fetuses being aborted
4392 for the sole purpose of terminating a pregnancy.

4393 I yield.

4394 *The Chair. The gentleman yields back. Is there
4395 further discussion?

4396 Seeing none, the question occurs on the amendment
4397 offered by Mrs. Fletcher.

4398 All those in favor, say aye.

4399 Those opposed, nay.

4400 The noes have it. The amendment is not agreed to.

4401 *Mr. Pallone. A recorded vote, Madam -

4402 *The Chair. You would like -- a recorded vote has been

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4403 requested. The clerk will call the roll.

4404 *The Clerk. Mr. Burgess?

4405 *Mr. Burgess. Burgess votes no.

4406 *The Clerk. Mr. Burgess votes no.

4407 Mr. Latta?

4408 [No response.]

4409 *The Clerk. Mr. Guthrie?

4410 *Mr. Guthrie. No.

4411 *The Clerk. Mr. Guthrie votes no.

4412 Mr. Griffith?

4413 *Mr. Griffith. No.

4414 *The Clerk. Mr. Griffith votes no.

4415 Mr. Bilirakis?

4416 *Mr. Bilirakis. [Inaudible.]

4417 *The Clerk. Mr. Bilirakis votes no.

4418 Mr. Johnson?

4419 *Mr. Johnson. No.

4420 *The Clerk. Mr. Johnson votes no.

4421 Mr. Bucshon?

4422 *Mr. Bucshon. No.

4423 *The Clerk. Mr. Bucshon votes no.

4424 Mr. Hudson?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4425 [No response.]
4426 *The Clerk. Mr. Walberg?
4427 *Mr. Walberg. No.
4428 *The Clerk. Mr. Walberg votes no.
4429 *Mr. Hudson. [Inaudible.]
4430 *The Clerk. Mr. Hudson?
4431 *Mr. Hudson. [Inaudible.]
4432 *The Clerk. Mr. Hudson votes no.
4433 Mr. Carter?
4434 *Mr. Carter. No.
4435 *The Clerk. Mr. Carter votes no.
4436 Mr. Duncan?
4437 *Mr. Duncan. [Inaudible.]
4438 *The Clerk. Mr. Duncan votes no.
4439 Mr. Palmer?
4440 *Mr. Palmer. No.
4441 *The Clerk. Mr. Palmer votes no.
4442 Mr. Dunn?
4443 *Mr. Dunn. No.
4444 *The Clerk. Mr. Dunne votes no.
4445 Mr. Curtis?
4446 *Mr. Curtis. [Inaudible.]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4447 *The Clerk. Mr. Curtis votes no.
4448 Mrs. Lesko?
4449 *Mrs. Lesko. No.
4450 *The Clerk. Mrs. Lesko votes no.
4451 Mr. Pence?
4452 *Mr. Pence. No.
4453 *The Clerk. Mr. Pence votes no.
4454 Mr. Crenshaw?
4455 [No response.]
4456 *The Clerk. Mr. Joyce?
4457 *Mr. Joyce. [Inaudible.]
4458 *The Clerk. Mr. Joyce votes no.
4459 Mr. Armstrong?
4460 *Mr. Armstrong. [Inaudible.]
4461 *The Clerk. Mr. Armstrong votes no.
4462 Mr. Weber?
4463 *Mr. Weber. [Inaudible.]
4464 *The Clerk. Mr. Weber votes no.
4465 Mr. Allen?
4466 [No response.]
4467 *The Clerk. Mr. Balderson?
4468 *Mr. Balderson. [Inaudible.]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4469 *The Clerk. Mr. Balderson votes no.
4470 Mr. Fulcher?
4471 *Mr. Fulcher. [Inaudible.]
4472 *The Clerk. Mr. Fulcher votes no.
4473 Mr. Pfluger?
4474 *Mr. Pfluger. [Inaudible.]
4475 *The Clerk. Mr. Pfluger votes no.
4476 Mrs. Harshbarger?
4477 *Mrs. Harshbarger. [Inaudible.]
4478 *The Clerk. Mrs. Harshbarger votes no.
4479 Mrs. Miller-Meeks?
4480 *Mrs. Miller-Meeks. [Inaudible.]
4481 *The Clerk. Mrs. Miller-Meeks votes no.
4482 Mrs. Cammack?
4483 *Mrs. Cammack. [Inaudible.]
4484 *The Clerk. Mrs. Cammack votes no.
4485 Mr. Obernolte?
4486 [No response.]
4487 *The Clerk. Mr. Pallone?
4488 *Mr. Pallone. [Inaudible.]
4489 *The Clerk. Mr. Pallone votes aye.
4490 Ms. Eshoo?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4491 *Ms. Eshoo. [Inaudible.]
4492 *The Clerk. Ms. Eshoo votes aye.
4493 Ms. DeGette?
4494 [No response.]
4495 *The Clerk. Ms. Schakowsky?
4496 *Ms. Schakowsky. Aye.
4497 *The Clerk. Ms. Schakowsky votes aye.
4498 Ms. Matsui?
4499 *Ms. Matsui. [Inaudible.]
4500 *The Clerk. Ms. Matsui votes aye.
4501 Ms. Castor?
4502 *Ms. Castor. [Inaudible.]
4503 *The Clerk. Ms. Castor votes aye.
4504 Mr. Sarbanes?
4505 *Mr. Sarbanes. [Inaudible.]
4506 *The Clerk. Mr. Sarbanes votes aye.
4507 Mr. Tonko?
4508 [No response.]
4509 *The Clerk. Ms. Clarke?
4510 *Ms. Clarke. [Inaudible.]
4511 *The Clerk. Ms. Clarke votes aye.
4512 Mr. Cardenas?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4513 *Mr. Cardenas. [Inaudible.]
4514 *The Clerk. Mr. Cardenas votes aye.
4515 Mr. Ruiz?
4516 *Mr. Ruiz. [Inaudible.]
4517 *The Clerk. Mr. Ruiz votes aye.
4518 Mr. Peters?
4519 *Mr. Peters. Aye.
4520 *The Clerk. Mr. Peters votes aye.
4521 Mrs. Dingell?
4522 *Mrs. Dingell. [Inaudible.]
4523 *The Clerk. Mrs. Dingell votes aye.
4524 Mr. Veasey?
4525 *Mr. Veasey. Aye.
4526 *The Clerk. Mr. Veasey votes aye.
4527 Ms. Kuster?
4528 *Ms. Kuster. Aye.
4529 *The Clerk. Ms. Kuster votes aye.
4530 Ms. Kelly?
4531 *Ms. Kelly. Aye.
4532 *The Clerk. Ms. Kelly votes aye.
4533 Ms. Barragan?
4534 *Ms. Barragan. Aye.

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4535 *The Clerk. Ms. Barragan votes aye.
4536 Ms. Blunt Rochester?
4537 *Ms. Blunt Rochester. [Inaudible.]
4538 *The Clerk. Ms. Blunt Rochester votes aye.
4539 Mr. Soto?
4540 *Mr. Soto. [Inaudible.]
4541 *The Clerk. Mr. Soto votes aye.
4542 Ms. Craig?
4543 *Ms. Craig. [Inaudible.]
4544 *The Clerk. Ms. Craig votes aye.
4545 Ms. Schrier?
4546 *Ms. Schrier. [Inaudible.]
4547 *The Clerk. Ms. Schrier votes aye.
4548 Mrs. Trahan?
4549 *Mrs. Trahan. [Inaudible.]
4550 *The Clerk. Mrs. Trahan votes aye.
4551 Mrs. Fletcher?
4552 *Mrs. Fletcher. [Inaudible.]
4553 *The Clerk. Mrs. Fletcher votes aye.
4554 Chair Rodgers?
4555 *The Chair. [Inaudible.]
4556 *The Clerk. Chair Rodgers votes no.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4557 Mr. Latta is not recorded.

4558 *Mr. Latta. [Inaudible.]

4559 *The Clerk. Mr. Latta votes no.

4560 Mr. Allen is not recorded.

4561 *Mr. Allen. Allen votes no.

4562 *The Clerk. Mr. Allen votes no.

4563 [Pause.]

4564 *The Clerk. Mr. Johnson?

4565 I have Mr. Johnson recorded as no.

4566 *Mr. Crenshaw. Crenshaw -

4567 *The Clerk. Mr. Crenshaw is not recorded.

4568 *Mr. Crenshaw. [Inaudible.]

4569 *The Clerk. Mr. Crenshaw votes no.

4570 [Pause.]

4571 *The Clerk. Chair Rodgers, on that vote there were 28
4572 ayes and 21 noes.

4573 I am sorry, Chair Rodgers, it was 21 ayes and 28 noes.

4574 *The Chair. Are there further amendments?

4575 Ms. Schakowsky.

4576 *Ms. Schakowsky. Madam Chair, I have an amendment at
4577 the desk.

4578 *The Chair. The clerk will report.

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4579 *The Clerk. Amendment to the amendment in the nature of
4580 a substitute to H.R. 3561, offered by Ms. Schakowsky of
4581 Illinois.

4582 *The Chair. Without objection, the reading of the
4583 amendment will be dispensed with.

4584 [The amendment of Ms. Schakowsky follows:]

4585

4586 *****COMMITTEE INSERT*****

4587

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4588 *The Chair. The lady is recognized for five minutes in
4589 support of her amendment.

4590 *Ms. Schakowsky. Thank you, Madam Chair. My amendment
4591 would require ambulatory surgical centers to report their
4592 costs.

4593 In 2020, ambulatory surgical centers received 5.7
4594 billion dollars in Medicare payments and saw a 23 percent
4595 payment increase in the form of fees for service benefits,
4596 yet, little is really known about the cost of ambulatory
4597 surgical centers have incurred and Medicare beneficiaries are
4598 using those services, of course.

4599 My practical amendment would require that these
4600 facilities have their reporting data on their surgical
4601 services and help us to get a picture of exactly what the
4602 true costs are.

4603 It would also help in determining whether Medicare,
4604 whatever Medicare is paying ambulatory surgical centers, and
4605 whether or not that amount of money is fair.

4606 Now, we have talked to you, Madame chair, and I want to
4607 thank you for saying that you would work with us and work
4608 with me in discussion this issue. And so at this point, I
4609 will withdraw the amendment so that we can go forward

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4610 together.

4611 *The Chair. The gentlelady withdraws her amendment. We
4612 will continue to work on it.

4613 *Ms. Schakowsky. Thank you.

4614 *The Chair. She yields back. Are there further
4615 amendments?

4616 Seeing none, the vote occurs on the amendment, in the
4617 nature of a substitute, as amended.

4618 All those in favor, say aye.

4619 Those opposed, nay?

4620 The ayes have it. The amendment is adopted.

4621 The vote now occurs on 3561, as amended.

4622 Clerk will call the roll.

4623 *The Clerk. Mr. Burgess?

4624 *Mr. Burgess. Burgess votes aye.

4625 *The Clerk. Mr. Burgess votes aye.

4626 Mr. Latta?

4627 *Mr. Latta. Aye.

4628 *The Clerk. Mr. Latta votes aye.

4629 Mr. Guthrie?

4630 *Mr. Guthrie. Aye.

4631 *The Clerk. Mr. Guthrie votes aye.

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4632 Mr. Griffith?
4633 *Mr. Griffith. Aye.
4634 *The Clerk. Mr. Griffith votes aye.
4635 Mr. Bilirakis?
4636 *Mr. Bilirakis. Aye.
4637 *The Clerk. Mr. Bilirakis votes aye.
4638 Mr. Johnson?
4639 *Mr. Johnson. Aye.
4640 *The Clerk. Mr. Johnson votes aye.
4641 Mr. Bucshon?
4642 *Mr. Bucshon. Aye.
4643 *The Clerk. Mr. Bucshon votes aye.
4644 Mr. Hudson?
4645 *Mr. Hudson. Aye.
4646 *The Clerk. Mr. Hudson votes aye.
4647 Mr. Walberg?
4648 *Mr. Walberg. Aye.
4649 *The Clerk. Mr. Walberg votes aye.
4650 Mr. Carter?
4651 *Mr. Carter. Aye.
4652 *The Clerk. Mr. Carter votes aye.
4653 Mr. Duncan?

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4654 *Mr. Duncan. Aye.
4655 *The Clerk. Mr. Duncan votes aye.
4656 Mr. Palmer?
4657 *Mr. Palmer. Aye.
4658 *The Clerk. Mr. Palmer votes aye.
4659 Mr. Dunn?
4660 *Mr. Dunn. Aye.
4661 *The Clerk. Mr. Dunn votes aye.
4662 Mr. Curtis?
4663 *Mr. Curtis. Aye.
4664 *The Clerk. Mr. Curtis votes aye.
4665 Mrs. Lesko?
4666 *Mrs. Lesko. Aye.
4667 *The Clerk. Mrs. Lesko votes aye.
4668 Mr. Pence?
4669 *Mr. Pence. Aye.
4670 *The Clerk. Mr. Pence votes aye.
4671 Mr. Crenshaw?
4672 *Mr. Crenshaw. Aye.
4673 *The Clerk. Mr. Crenshaw votes aye.
4674 Mr. Joyce?
4675 *Mr. Joyce. Aye.

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4676 *The Clerk. Mr. Joyce votes aye.
4677 Mr. Armstrong?
4678 *Mr. Armstrong. Yes.
4679 *The Clerk. Mr. Armstrong votes aye.
4680 Mr. Weber?
4681 *Mr. Weber. Aye.
4682 *The Clerk. Mr. Weber votes aye.
4683 Mr. Allen?
4684 *Mr. Allen. Aye.
4685 *The Clerk. Mr. Allen votes aye.
4686 Mr. Balderson?
4687 *Mr. Balderson. Aye.
4688 *The Clerk. Mr. Balderson votes aye.
4689 Mr. Fulcher?
4690 *Mr. Fulcher. Aye.
4691 *The Clerk. Mr. Fulcher votes aye.
4692 Mr. Pfluger?
4693 *Mr. Pfluger. Aye.
4694 *The Clerk. Mr. Pfluger votes aye.
4695 Mrs. Harshbarger?
4696 *Mrs. Harshbarger. Aye.
4697 *The Clerk. Mrs. Harshbarger votes aye.

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4698 Mrs. Miller-Meeks?
4699 *Mrs. Miller-Meeks. Aye.
4700 *The Clerk. Mrs. Miller-Meeks votes aye.
4701 Mrs. Cammack?
4702 [No response.]
4703 *The Clerk. Mr. Obernolte?
4704 [No response.]
4705 *The Clerk. Mr. Pallone?
4706 *Mr. Pallone. Aye.
4707 *The Clerk. Mr. Pallone votes aye.
4708 Ms. Eshoo?
4709 *Ms. Eshoo. Aye.
4710 *The Clerk. Ms. Eshoo votes aye.
4711 Ms. DeGette?
4712 [No response.]
4713 *The Clerk. Ms. Schakowsky?
4714 *Ms. Schakowsky. Aye.
4715 *The Clerk. Ms. Schakowsky votes aye.
4716 Ms. Matsui?
4717 *Ms. Matsui. Aye.
4718 *The Clerk. Ms. Matsui votes aye.
4719 Ms. Castor?

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4720 *Ms. Castor. Aye.
4721 *The Clerk. Ms. Castor votes aye.
4722 Mr. Sarbanes?
4723 *Mr. Sarbanes. Aye.
4724 *The Clerk. Mr. Sarbanes votes aye.
4725 Mr. Tonko?
4726 [No response.]
4727 *The Clerk. Ms. Clarke?
4728 *Ms. Clarke. Aye.
4729 *The Clerk. Ms. Clarke votes aye.
4730 Mr. Cardenas?
4731 *Mr. Cardenas. Aye.
4732 *The Clerk. Mr. Cardenas votes aye.
4733 Mr. Ruiz?
4734 *Mr. Ruiz. Aye.
4735 *The Clerk. Mr. Ruiz votes aye.
4736 Mr. Peters?
4737 *Mr. Peters. Aye.
4738 *The Clerk. Mr. Peters votes aye.
4739 Mrs. Dingell?
4740 *Mrs. Dingell. Aye.
4741 *The Clerk. Mrs. Dingell votes aye.

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4742 Mr. Veasey?

4743 *Mr. Veasey. Aye.

4744 *The Clerk. Mr. Veasey votes aye.

4745 Ms. Kuster?

4746 *Ms. Kuster. Aye.

4747 *The Clerk. Ms. Kuster votes aye.

4748 Ms. Kelly?

4749 *Ms. Kelly. Aye.

4750 *The Clerk. Ms. Kelly votes aye.

4751 *The Clerk. Ms. Barragan.

4752 *Ms. Barragan. Aye.

4753 *The Clerk. Ms. Barragan votes aye.

4754 Ms. Blunt Rochester?

4755 *Ms. Blunt Rochester. Aye.

4756 *The Clerk. Ms. Blunt Rochester votes aye.

4757 Mr. Soto?

4758 *Mr. Soto. Aye.

4759 *The Clerk. Mr. Soto votes aye.

4760 Ms. Craig?

4761 *Ms. Craig. Aye.

4762 *The Clerk. Ms. Craig votes aye.

4763 Ms. Schrier?

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4764 *Ms. Schrier. Aye.

4765 *The Clerk. Ms. Schrier votes aye.

4766 Mrs. Trahan?

4767 *Mrs. Trahan. Aye.

4768 *The Clerk. Mrs. Trahan votes aye.

4769 Mrs. Fletcher?

4770 *Mrs. Fletcher. Aye.

4771 *The Clerk. Mrs. Fletcher votes aye.

4772 Chair Rodgers?

4773 *The Chair. Aye.

4774 *The Clerk. Chair Rodgers votes aye.

4775 *The Chair. Is there any other member seeking to be
4776 recorded?

4777 *Mrs. Cammack. Cammack votes aye.

4778 *The Clerk. Mrs. Cammack votes aye.

4779 *The Chair. Clerk will report.

4780 *The Clerk. Chair Rodgers, on that vote there were 49
4781 ayes and zero noes.

4782 *The Chair. The ayes have it, the bill is adopted.

4783 The Chair calls up H.R. 3309, and asks the clerk to
4784 report.

4785 *The Clerk. H.R. 3309, a bill to amend the Middle-Class

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4786 tax relief and Job Creation Act of 2012, to establish a
4787 uniform fee schedule applicable to the process of the
4788 forms --

4789 *The Chair. Without objection, the first reading of the
4790 bill is dispensed with and the bill will be open for
4791 amendment at any point. So ordered.

4792 Does anyone seek to be recognized on the bill?

4793 The gentleman from Alabama, Mr. Palmer, for what purpose
4794 do you seek recognition?

4795 *Mr. Palmer. Madam chair, I would like to speak in
4796 support of the Standard Fees Act.

4797 *The Chair. The gentleman is recognized for five
4798 minutes to strike the last word.

4799 *Mr. Palmer. I thank the gentlewoman.

4800 The Standard Fees Act is a great step forward in
4801 streamlining our nation's permitting process for
4802 telecommunications infrastructure. If passed, the Standard
4803 Fees Act would establish the common fee for the processing of
4804 applications for deploying communication facilities on
4805 federal property.

4806 The fee would be competitively neutral and would be
4807 allowed to cover the cost of granting an easement, right-of-

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4808 way, or lease. The application process for placing
4809 communication facilities on federal property has long been
4810 characterized by complex and often, ambiguous fees.

4811 The federal government manages a significant amount of
4812 land near unserved communities, thus closing the digital
4813 divide requires deploying on this land. A standard fee
4814 schedule will help providers as they plan deployments and
4815 help control the cost of deployment.

4816 This fee schedule will ensure that federal broadband
4817 money is wisely spent and that providers are focusing their
4818 resources on closing the digital divide. I encourage my
4819 colleagues to support this bipartisan bill and I yield back.

4820 *Mr. Latta. [Presiding]. The gentleman yields back.

4821 Are there other members wishing to speak on the bill?

4822 Are there any bipartisan amendments to the bill?

4823 Are there amendments to the bill?

4824 Hearing none, the question now occurs on approving H.R.
4825 3309 and a roll call has been requested. The clerk will call
4826 the roll.

4827 *The Clerk. Mr. Burgess?

4828 *Mr. Burgess. Burgess votes aye.

4829 *The Clerk. Mr. Burgess votes aye.

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4830 Mr. Latta?
4831 *Mr. Latta. Aye.
4832 *The Clerk. Mr. Latta votes aye.
4833 Mr. Guthrie?
4834 *Mr. Guthrie. Aye.
4835 *The Clerk. Mr. Guthrie votes aye.
4836 Mr. Griffith?
4837 *Mr. Griffith. Aye.
4838 *The Clerk. Mr. Griffith votes aye.
4839 Mr. Bilirakis?
4840 *Mr. Bilirakis. Aye.
4841 *The Clerk. Mr. Bilirakis votes aye.
4842 Mr. Johnson?
4843 *Mr. Johnson. Aye.
4844 *The Clerk. Mr. Johnson votes aye.
4845 Mr. Bucshon?
4846 *Mr. Bucshon. Aye.
4847 *The Clerk. Mr. Bucshon votes aye.
4848 Mr. Hudson?
4849 *Mr. Hudson. Aye.
4850 *The Clerk. Mr. Hudson votes aye.
4851 Mr. Walberg?

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4852 *Mr. Walberg. Aye.
4853 *The Clerk. Mr. Walberg votes aye.
4854 Mr. Carter?
4855 *Mr. Carter. Aye.
4856 *The Clerk. Mr. Carter votes aye.
4857 Mr. Duncan?
4858 *Mr. Duncan. Aye.
4859 *The Clerk. Mr. Duncan votes aye.
4860 Mr. Palmer?
4861 *Mr. Palmer. Aye.
4862 *The Clerk. Mr. Palmer votes aye.
4863 Mr. Dunn?
4864 *Mr. Dunn. Aye.
4865 *The Clerk. Mr. Dunn votes aye.
4866 Mr. Curtis?
4867 *Mr. Curtis. Aye.
4868 *The Clerk. Mr. Curtis votes aye.
4869 Mrs. Lesko?
4870 *Mrs. Lesko. Aye.
4871 *The Clerk. Mrs. Lesko votes aye.
4872 Mr. Pence?
4873 *Mr. Pence. Aye.

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4874 *The Clerk. Mr. Pence votes aye.
4875 Mr. Crenshaw?
4876 *Mr. Crenshaw. Aye.
4877 *The Clerk. Mr. Crenshaw votes aye.
4878 Mr. Joyce?
4879 *Mr. Joyce. Aye.
4880 *The Clerk. Mr. Joyce votes aye.
4881 Mr. Armstrong?
4882 *Mr. Armstrong. Yes.
4883 *The Clerk. Mr. Armstrong votes aye.
4884 Mr. Weber?
4885 *Mr. Weber. Aye.
4886 *The Clerk. Mr. Weber votes aye.
4887 Mr. Allen?
4888 *Mr. Allen. Aye.
4889 *The Clerk. Mr. Allen votes aye.
4890 Mr. Balderson?
4891 *Mr. Balderson. Aye.
4892 *The Clerk. Mr. Balderson votes aye.
4893 Mr. Fulcher?
4894 *Mr. Fulcher. Aye.
4895 *The Clerk. Mr. Fulcher votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4896 Mr. Pfluger?

4897 *Mr. Pfluger. Aye.

4898 *The Clerk. Mr. Pfluger votes aye.

4899 Mrs. Harshbarger?

4900 *Mrs. Harshbarger. Aye.

4901 *The Clerk. Mrs. Harshbarger votes aye.

4902 Mrs. Miller-Meeks?

4903 *Mrs. Miller-Meeks. Aye.

4904 *The Clerk. Mrs. Miller-Meeks votes aye.

4905 Mrs. Cammack?

4906 *Mrs. Cammack. Aye.

4907 *The Clerk. Mrs. Cammack votes aye.

4908 Mr. Obernolte?

4909 [No response.]

4910 *The Clerk. Mr. Pallone?

4911 *Mr. Pallone. Aye.

4912 *The Clerk. Mr. Pallone votes aye.

4913 Ms. Eshoo?

4914 *Ms. Eshoo. Aye.

4915 *The Clerk. Ms. Eshoo votes aye.

4916 Ms. DeGette?

4917 *Ms. DeGette. Aye.

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4918 *The Clerk. Ms. DeGette votes aye.
4919 Ms. Schakowsky?
4920 *Ms. Schakowsky. Aye.
4921 *The Clerk. Ms. Schakowsky votes aye.
4922 Ms. Matsui?
4923 *Ms. Matsui. Aye.
4924 *The Clerk. Ms. Matsui votes aye.
4925 Ms. Castor?
4926 *Ms. Castor. Aye.
4927 *The Clerk. Ms. Castor votes aye.
4928 Mr. Sarbanes?
4929 [No response.]
4930 *The Clerk. Mr. Tonko?
4931 [No response.]
4932 *The Clerk. Ms. Clarke?
4933 *Ms. Clarke. Aye.
4934 *The Clerk. Ms. Clarke votes aye.
4935 Mr. Cardenas?
4936 *Mr. Cardenas. Aye.
4937 *The Clerk. Mr. Cardenas votes aye.
4938 Mr. Ruiz?
4939 *Mr. Ruiz. Aye.

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4940 *The Clerk. Mr. Ruiz votes aye.
4941 Mr. Peters?
4942 *Mr. Peters. Aye.
4943 *The Clerk. Mr. Peters votes aye.
4944 Mrs. Dingell?
4945 *Mrs. Dingell. Aye.
4946 *The Clerk. Mrs. Dingell votes aye.
4947 Mr. Veasey?
4948 *Mr. Veasey. Aye.
4949 *The Clerk. Mr. Veasey votes aye.
4950 Ms. Kuster?
4951 *Ms. Kuster. Aye.
4952 *The Clerk. Ms. Kuster votes aye.
4953 Ms. Kelly?
4954 *Ms. Kelly. Aye.
4955 *The Clerk. Ms. Kelly votes aye.
4956 *The Clerk. Ms. Barragan.
4957 [No response.]
4958 *The Clerk. Ms. Blunt Rochester?
4959 *Ms. Blunt Rochester. Aye.
4960 *The Clerk. Ms. Blunt Rochester votes aye.
4961 Mr. Soto?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4962 *Mr. Soto. Yes.

4963 *The Clerk. Mr. Soto votes aye.

4964 Ms. Craig?

4965 *Ms. Craig. Aye.

4966 *The Clerk. Ms. Craig votes aye.

4967 Ms. Schrier?

4968 *Ms. Schrier. Aye.

4969 *The Clerk. Ms. Schrier votes aye.

4970 Mrs. Trahan?

4971 *Mrs. Trahan. Aye.

4972 *The Clerk. Mrs. Trahan votes aye.

4973 Mrs. Fletcher?

4974 *Mrs. Fletcher. Aye.

4975 *The Clerk. Mrs. Fletcher votes aye.

4976 Chair Rodgers?

4977 *The Chair. Aye.

4978 *The Clerk. Chair Rodgers votes aye.

4979 *Mr. Latta. Are there any members wishing to be

4980 recorded who have not been recorded?

4981 The gentleman from New York?

4982 *The Clerk. Mr. Tonko is not recorded.

4983 *Mr. Tonko. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

4984 *The Clerk. Mr. Tonko votes aye.

4985 *Mr. Latta. Are there any other members wishing to have
4986 their vote recorded?

4987 I'm sorry.

4988 *Ms. Barragan. How is Barragan recorded?

4989 *The Clerk. Ms. Barragan is not recorded.

4990 *Ms. Barragan. Barragan votes aye.

4991 *The Clerk. Ms. Barragan votes aye.

4992 *Mr. Latta. Any other members?

4993 Hearing none, the clerk will report the roll.

4994 *The Clerk. Mr. Latta, on that vote there were 50 ayes
4995 and zero noes.

4996 *Mr. Latta. Thank you. The ayes have it and the bill
4997 is adopted.

4998 The Chair calls up H.R. 3293, and asks the clerk to
4999 report.

5000 *The Clerk. H.R. 3293, a bill to require the Assistant
5001 Secretary of Commerce for Communications and Information --

5002 *Mr. Latta. Without objection, the first reading of the
5003 bill is dispensed with and the bill is open for amendment at
5004 any time, so ordered.

5005 Does anyone seek to be recognized on the bill?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

5006 The gentlelady from Minnesota, why does she seek
5007 recognition?

5008 *Ms. Craig. Thank you so much --

5009 *Mr. Latta. The gentlelady is recognized for five
5010 minutes to strike the last word.

5011 *Ms. Craig. Thank you so much to Chair Rodgers and
5012 Ranking Member Pallone for holding today's markup. I would
5013 also like to thank my colleague Representative Duncan for his
5014 leadership on this critical issue.

5015 As co-chair of the Rural Broadband Caucus, I know it is
5016 more important now than ever that all Americans, regardless
5017 of where they live, can get access to high-speed internet.

5018 The need for reliable broadband access on federal lands
5019 and in rural communities continues. This legislation will
5020 support security and resiliency in America's rural
5021 communities who often border federal lands.

5022 It will also ensure that we will continue building out
5023 broadband infrastructure so Americans can always stay
5024 connected and safe. Supporting this effort will help close
5025 the digital divide and demonstrate our commitment to public
5026 safety.

5027 I am proud that this passed by voice vote in our

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5028 subcommittee and I urge my colleagues to vote in favor of
5029 this bill. Thank you, Mr. Chair, and I yield back.

5030 *Mr. Latta. The gentlelady yields back. For what
5031 purposes does the gentleman from South Carolina seek
5032 recognition?

5033 *Mr. Duncan. Mr. Chair, I wish to speak on the bill.

5034 *Mr. Latta. The gentleman is recognized for five
5035 minutes.

5036 *Mr. Duncan. Thank you. I first off want to thank my
5037 Democratic co-lead Andrea Craig for our work on this
5038 important issue and her comments just now.

5039 I rise in support of this legislation, 3293 Expediting
5040 Federal Broadband and Deployment Reviews Act. This simple
5041 bill creates an interagency taskforce to push federal
5042 agencies to finish the permitting review process for
5043 broadband infrastructure projects.

5044 Speeding up these federal land management agencies will
5045 help get broadband deployed in the rural parts of America,
5046 just like in the 3rd District of South Carolina. I want to
5047 thank Chairman Latta and Ranking Member Matsui for
5048 shepherding this through the Communications and Technology
5049 Subcommittee and I want to thank Chair Rodgers and Ranking

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5050 Member Pallone for scheduling this for approval today.

5051 I look forward to getting this into law with the help of
5052 this Committee and I ask my colleagues to support and I yield
5053 back.

5054 *Mr. Latta. Thank you. The gentleman yields back. Are
5055 there any other members wishing to speak on the bill?

5056 Are there any bipartisan amendments?

5057 Are there amendments on the bill?

5058 Hearing none, the question now occurs on approving H.R.
5059 3293, and a roll call has been requested. The clerk will
5060 call the roll.

5061 *The Clerk. Mr. Burgess?

5062 *Mr. Burgess. Burgess votes aye.

5063 *The Clerk. Mr. Burgess votes aye.

5064 Mr. Latta?

5065 *Mr. Latta. Aye.

5066 *The Clerk. Mr. Latta votes aye.

5067 Mr. Guthrie?

5068 *Mr. Guthrie. Aye.

5069 *The Clerk. Mr. Guthrie votes aye.

5070 Mr. Griffith?

5071 *Mr. Griffith. Aye.

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5072 *The Clerk. Mr. Griffith votes aye.
5073 Mr. Bilirakis?
5074 *Mr. Bilirakis. Aye.
5075 *The Clerk. Mr. Bilirakis votes aye.
5076 Mr. Johnson?
5077 *Mr. Johnson. Aye.
5078 *The Clerk. Mr. Johnson votes aye.
5079 Mr. Bucshon?
5080 *Mr. Bucshon. Aye.
5081 *The Clerk. Mr. Bucshon votes aye.
5082 Mr. Hudson?
5083 *Mr. Hudson. Aye.
5084 *The Clerk. Mr. Hudson votes aye.
5085 Mr. Walberg?
5086 *Mr. Walberg. Aye.
5087 *The Clerk. Mr. Walberg votes aye.
5088 Mr. Carter?
5089 *Mr. Carter. Aye.
5090 *The Clerk. Mr. Carter votes aye.
5091 Mr. Duncan?
5092 *Mr. Duncan. Aye.
5093 *The Clerk. Mr. Duncan votes aye.

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5094 Mr. Palmer?
5095 *Mr. Palmer. Aye.
5096 *The Clerk. Mr. Palmer votes aye.
5097 Mr. Dunn?
5098 *Mr. Dunn. Aye.
5099 *The Clerk. Mr. Dunn votes aye.
5100 Mr. Curtis?
5101 *Mr. Curtis. Aye.
5102 *The Clerk. Mr. Curtis votes aye.
5103 Mrs. Lesko?
5104 *Mrs. Lesko. Aye.
5105 *The Clerk. Mrs. Lesko votes aye.
5106 Mr. Pence?
5107 *Mr. Pence. Aye.
5108 *The Clerk. Mr. Pence votes aye.
5109 Mr. Crenshaw?
5110 *Mr. Crenshaw. Aye.
5111 *The Clerk. Mr. Crenshaw votes aye.
5112 Mr. Joyce?
5113 *Mr. Joyce. Aye.
5114 *The Clerk. Mr. Joyce votes aye.
5115 Mr. Armstrong?

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5116 *Mr. Armstrong. Yes.
5117 *The Clerk. Mr. Armstrong votes aye.
5118 Mr. Weber?
5119 *Mr. Weber. Aye.
5120 *The Clerk. Mr. Weber votes aye.
5121 Mr. Allen?
5122 *Mr. Allen. Aye.
5123 *The Clerk. Mr. Allen votes aye.
5124 Mr. Balderson?
5125 *Mr. Balderson. Aye.
5126 *The Clerk. Mr. Balderson votes aye.
5127 Mr. Fulcher?
5128 *Mr. Fulcher. Aye.
5129 *The Clerk. Mr. Fulcher votes aye.
5130 Mr. Pfluger?
5131 *Mr. Pfluger. Aye.
5132 *The Clerk. Mr. Pfluger votes aye.
5133 Mrs. Harshbarger?
5134 *Mrs. Harshbarger. Aye.
5135 *The Clerk. Mrs. Harshbarger votes aye.
5136 Mrs. Miller-Meeks?
5137 *Mrs. Miller-Meeks. Aye.

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5138 *The Clerk. Mrs. Miller-Meeks votes aye.

5139 Mrs. Cammack?

5140 *Mrs. Cammack. Aye.

5141 *The Clerk. Mrs. Cammack votes aye.

5142 Mr. Obernolte?

5143 [No response.]

5144 *The Clerk. Mr. Pallone?

5145 *Mr. Pallone. Aye.

5146 *The Clerk. Mr. Pallone votes aye.

5147 Ms. Eshoo?

5148 *Ms. Eshoo. Aye.

5149 *The Clerk. Ms. Eshoo votes aye.

5150 Ms. DeGette?

5151 *Ms. DeGette. Aye.

5152 *The Clerk. Ms. DeGette votes aye.

5153 Ms. Schakowsky?

5154 [No response.]

5155 *The Clerk. Ms. Matsui?

5156 *Ms. Matsui. Aye.

5157 *The Clerk. Ms. Matsui votes aye.

5158 Ms. Castor?

5159 *Ms. Castor. Aye.

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5160 *The Clerk. Ms. Castor votes aye.
5161 Mr. Sarbanes?
5162 *Mr. Sarbanes. Aye.
5163 *The Clerk. Mr. Sarbanes votes aye.
5164 Mr. Tonko?
5165 *Mr. Tonko. Aye.
5166 *The Clerk. Mr. Tonko votes aye.
5167 Ms. Clarke?
5168 *Ms. Clarke. Aye.
5169 *The Clerk. Ms. Clarke votes aye.
5170 Mr. Cardenas?
5171 *Mr. Cardenas. Aye.
5172 *The Clerk. Mr. Cardenas votes aye.
5173 Mr. Ruiz?
5174 [No response.]
5175 *The Clerk. Mr. Peters?
5176 *Mr. Peters. Aye.
5177 *The Clerk. Mr. Peters votes aye.
5178 Mrs. Dingell?
5179 *Mrs. Dingell. Dingell votes aye.
5180 *The Clerk. Mrs. Dingell votes aye.
5181 Mr. Veasey?

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5182 *Mr. Veasey. Aye.
5183 *The Clerk. Mr. Veasey votes aye.
5184 Ms. Kuster?
5185 *Ms. Kuster. Aye.
5186 *The Clerk. Ms. Kuster votes aye.
5187 Ms. Kelly?
5188 *Ms. Kelly. Aye.
5189 *The Clerk. Ms. Kelly votes aye.
5190 *The Clerk. Ms. Barragan.
5191 *Ms. Barragan. Aye.
5192 *The Clerk. Ms. Barragan votes aye.
5193 Ms. Blunt Rochester?
5194 *Ms. Blunt Rochester. Aye.
5195 *The Clerk. Ms. Blunt Rochester votes aye.
5196 Mr. Soto?
5197 *Mr. Soto. Aye.
5198 *The Clerk. Mr. Soto votes aye.
5199 Ms. Craig?
5200 *Ms. Craig. Aye.
5201 *The Clerk. Ms. Craig votes aye.
5202 Ms. Schrier?
5203 *Ms. Schrier. Aye.

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5204 *The Clerk. Ms. Schrier votes aye.
5205 Mrs. Trahan?
5206 *Mrs. Trahan. Aye.
5207 *The Clerk. Mrs. Trahan votes aye.
5208 Mrs. Fletcher?
5209 *Mrs. Fletcher. Aye.
5210 *The Clerk. Mrs. Fletcher votes aye.
5211 Chair Rodgers?
5212 *The Chair. Aye.
5213 *The Clerk. Chair Rodgers votes aye.
5214 *Mr. Latta. Are there any members wishing to record
5215 their vote?
5216 How is the gentleman from California recorded?
5217 *The Clerk. Mr. Ruiz is not recorded.
5218 *Mr. Ruiz. Aye.
5219 *The Clerk. Mr. Ruiz votes aye.
5220 *Mr. Latta. The gentlelady from Illinois, how is she
5221 recorded?
5222 *The Clerk. Ms. Schakowsky is not recorded.
5223 *Ms. Schakowsky. Yes.
5224 *The Clerk. Ms. Schakowsky votes aye.
5225 *Mr. Latta. Are there any other members wishing to

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5226 record their vote?

5227 Hearing none, the clerk will take the roll and report.

5228 *The Clerk. Chair Latta, on that vote we have 51 ayes
5229 and zero nays.

5230 *Mr. Latta. Thank you very much. The ayes have it and
5231 the bill is adopted.

5232 The Chair calls up H.R. 3299, and asks the clerk to
5233 report.

5234 *The Clerk. H.R. 3299, To Require the Department of the
5235 Interior and the Department of Agriculture to establish
5236 out --

5237 *Mr. Latta. Without objection, the first reading of the
5238 bill is dispensed with and the bill will be open for
5239 amendment at any time, so ordered.

5240 Does anyone seek to be recognized in the bill?

5241 Hearing none, are there any bipartisan amendments to the
5242 bill?

5243 Are there any other amendments?

5244 Seeing none, the question now occurs on adopting H.R.
5245 3299, and a roll call has been requested. The clerk will
5246 call the roll.

5247 *The Clerk. Mr. Burgess?

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5248 *Mr. Burgess. Burgess votes aye.
5249 *The Clerk. Mr. Burgess votes aye.
5250 Mr. Latta?
5251 *Mr. Latta. Aye.
5252 *The Clerk. Mr. Latta votes aye.
5253 Mr. Guthrie?
5254 [No response.]
5255 *The Clerk. Mr. Griffith?
5256 *Mr. Griffith. Aye.
5257 *The Clerk. Mr. Griffith votes aye.
5258 Mr. Bilirakis?
5259 *Mr. Bilirakis. Aye.
5260 *The Clerk. Mr. Bilirakis votes aye.
5261 Mr. Johnson?
5262 *Mr. Johnson. Aye.
5263 *The Clerk. Mr. Johnson votes aye.
5264 Mr. Bucshon?
5265 *Mr. Bucshon. Aye.
5266 *The Clerk. Mr. Bucshon votes aye.
5267 Mr. Hudson?
5268 *Mr. Hudson. Aye.
5269 *The Clerk. Mr. Hudson votes aye.

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5270 Mr. Walberg?
5271 *Mr. Walberg. Aye.
5272 *The Clerk. Mr. Walberg votes aye.
5273 Mr. Carter?
5274 *Mr. Carter. Aye.
5275 *The Clerk. Mr. Carter votes aye.
5276 Mr. Duncan?
5277 *Mr. Duncan. Aye.
5278 *The Clerk. Mr. Duncan votes aye.
5279 Mr. Palmer?
5280 *Mr. Palmer. Aye.
5281 *The Clerk. Mr. Palmer votes aye.
5282 Mr. Dunn?
5283 *Mr. Dunn. Aye.
5284 *The Clerk. Mr. Dunn votes aye.
5285 Mr. Curtis?
5286 *Mr. Curtis. Aye.
5287 *The Clerk. Mr. Curtis votes aye.
5288 Mrs. Lesko?
5289 *Mrs. Lesko. Aye.
5290 *The Clerk. Mrs. Lesko votes aye.
5291 Mr. Pence?

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5292 *Mr. Pence. Aye.
5293 *The Clerk. Mr. Pence votes aye.
5294 Mr. Crenshaw?
5295 *Mr. Crenshaw. Aye.
5296 *The Clerk. Mr. Crenshaw votes aye.
5297 Mr. Joyce?
5298 *Mr. Joyce. Aye.
5299 *The Clerk. Mr. Joyce votes aye.
5300 Mr. Armstrong?
5301 *Mr. Armstrong. Yes.
5302 *The Clerk. Mr. Armstrong votes aye.
5303 Mr. Weber?
5304 *Mr. Weber. Aye.
5305 *The Clerk. Mr. Weber votes aye.
5306 Mr. Allen?
5307 *Mr. Allen. Aye.
5308 *The Clerk. Mr. Allen votes aye.
5309 Mr. Balderson?
5310 *Mr. Balderson. Aye.
5311 *The Clerk. Mr. Balderson votes aye.
5312 Mr. Fulcher?
5313 *Mr. Fulcher. Aye.

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5314 *The Clerk. Mr. Fulcher votes aye.
5315 Mr. Pfluger?
5316 *Mr. Pfluger. Aye.
5317 *The Clerk. Mr. Pfluger votes aye.
5318 Mrs. Harshbarger?
5319 *Mrs. Harshbarger. Aye.
5320 *The Clerk. Mrs. Harshbarger votes aye.
5321 Mrs. Miller-Meeks?
5322 *Mrs. Miller-Meeks. Aye.
5323 *The Clerk. Mrs. Miller-Meeks votes aye.
5324 Mrs. Cammack?
5325 *Mrs. Cammack. Aye.
5326 *The Clerk. Mrs. Cammack votes aye.
5327 Mr. Obernolte?
5328 [No response.]
5329 *The Clerk. Mr. Pallone?
5330 *Mr. Pallone. Aye.
5331 *The Clerk. Mr. Pallone votes aye.
5332 Ms. Eshoo?
5333 *Ms. Eshoo. Aye.
5334 *The Clerk. Ms. Eshoo votes aye.
5335 Ms. DeGette?

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5336 *Ms. DeGette. Aye.

5337 *The Clerk. Ms. DeGette votes aye.

5338 Ms. Schakowsky?

5339 [No response.]

5340 *The Clerk. Ms. Matsui?

5341 *Ms. Matsui. Aye.

5342 *The Clerk. Ms. Matsui votes aye.

5343 Ms. Castor?

5344 *Ms. Castor. Aye.

5345 *The Clerk. Ms. Castor votes aye.

5346 Mr. Sarbanes?

5347 *Mr. Sarbanes. Aye.

5348 *The Clerk. Mr. Sarbanes votes aye.

5349 Mr. Tonko?

5350 *Mr. Tonko. Aye.

5351 *The Clerk. Mr. Tonko votes aye.

5352 Ms. Clarke?

5353 *Ms. Clarke. Aye.

5354 *The Clerk. Ms. Clarke votes aye.

5355 Mr. Cardenas?

5356 *Mr. Cardenas. Aye.

5357 *The Clerk. Mr. Cardenas votes aye.

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5358 Mr. Ruiz?
5359 *Mr. Ruiz. Aye.
5360 *The Clerk. Mr. Ruiz votes aye.
5361 Mr. Peters?
5362 *Mr. Peters. Aye.
5363 *The Clerk. Mr. Peters votes aye.
5364 Mrs. Dingell?
5365 [No response.]
5366 *The Clerk. Mr. Veasey?
5367 *Mr. Veasey. Aye.
5368 *The Clerk. Mr. Veasey votes aye.
5369 Ms. Kuster?
5370 *Ms. Kuster. Aye.
5371 *The Clerk. Ms. Kuster votes aye.
5372 Ms. Kelly?
5373 *Ms. Kelly. Aye.
5374 *The Clerk. Ms. Kelly votes aye.
5375 *The Clerk. Ms. Barragan.
5376 [No response.]
5377 *The Clerk. Ms. Blunt Rochester?
5378 *Ms. Blunt Rochester. Aye.
5379 *The Clerk. Ms. Blunt Rochester votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

5380 Mr. Soto?

5381 *Mr. Soto. Aye.

5382 *The Clerk. Mr. Soto votes aye.

5383 Ms. Craig?

5384 *Ms. Craig. Aye.

5385 *The Clerk. Ms. Craig votes aye.

5386 Ms. Schrier?

5387 *Ms. Schrier. Aye.

5388 *The Clerk. Ms. Schrier votes aye.

5389 Mrs. Trahan?

5390 *Mrs. Trahan. Aye.

5391 *The Clerk. Mrs. Trahan votes aye.

5392 Mrs. Fletcher?

5393 *Mrs. Fletcher. Aye.

5394 *The Clerk. Mrs. Fletcher votes aye.

5395 Chair Rodgers?

5396 *The Chair. Aye.

5397 *The Clerk. Chair Rodgers votes aye.

5398 *Mr. Latta. And how is the gentlelady from Illinois

5399 recorded?

5400 *The Clerk. Ms. Schakowsky is not recorded.

5401 *Ms. Schakowsky. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

5402 *The Clerk. Ms. Schakowsky votes aye.

5403 *Mr. Latta. The gentlelady from Michigan?

5404 *The Clerk. Mrs. Dingell is not recorded.

5405 *Mrs. Dingell. Aye.

5406 *The Clerk. Mrs. Dingell votes aye.

5407 *Mr. Latta. The gentleman from Kentucky?

5408 *Mr. Guthrie. Aye.

5409 *The Clerk. Mr. Guthrie votes aye.

5410 *Mr. Latta. Are there any other members wishing to

5411 record their vote?

5412 How is the gentlelady recorded?

5413 *The Clerk. Ms. Barragan is not recorded.

5414 *Ms. Barragan. Aye.

5415 *The Clerk. Ms. Barragan votes aye.

5416 *Mr. Latta. The clerk will take the roll and report.

5417 *The Clerk. Chair Latta, on that vote we have 51 ayes

5418 and zero nays.

5419 *Mr. Latta. Thank you very much. The ayes have it and

5420 the resolution is adopted.

5421 The Chair calls up H.R. 3283, and asks the clerk to

5422 report.

5423 *The Clerk. H.R. 3283, A bill to require the Assistant

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5424 Secretary of Commerce for Communications and Information --

5425 *Mr. Latta. Without objection, the first reading of the
5426 bill is dispensed with and the bill will be open to amendment
5427 at any point. So ordered.

5428 Does anyone seek to be recognized on the bill?

5429 The gentlelady from Michigan, for what purpose does she
5430 seek recognition, please?

5431 *Mrs. Dingell. To support the bill.

5432 *Mr. Latta. The gentlelady is recognized for five
5433 minutes to strike the last word.

5434 *Mrs. Dingell. Thank you. I was looking for my co-lead
5435 here, who's done a wonderful job.

5436 Mr. Chairman, it is essential that we are able to fully
5437 unleash the benefits of the once in a generation investments
5438 included in the bipartisan Infrastructure Law, that includes
5439 swift and accurate disposal of permitting applications for
5440 communications and utility infrastructure that will get these
5441 important projects to the people who need them the most,
5442 while preserving our landmark environmental laws.

5443 We have heard from experts that we are not properly
5444 equipped to quickly process the increased number of these
5445 applications resulting from the important investments we are

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5446 making in broadband infrastructure.

5447 The Department of the Interior and the Department of
5448 Agriculture do not currently have an online portal for the
5449 submission of Form 299 requests and it is crucial we update
5450 these processes by providing an online option.

5451 Representative Cammack and Matsui introduced the DIGITAL
5452 Applications Act to ensure that the Department of the
5453 Interior and the Department of Agricultural will establish an
5454 online portal for these applications and I thank them for
5455 their work to modernize these agencies.

5456 We have set stringent goals in achieving swift buildout
5457 of broadband and communications infrastructure to connect
5458 every American. Given the timeliness of these investments,
5459 it is vital that departments quickly develop and launch this
5460 online portal to expedite the ease of disposal of
5461 applications.

5462 That is why Congresswoman Miller-Meeks and I introduced
5463 the Facilitating Digital Applications Act. This legislation
5464 will ensure that the Department of the Interior and the
5465 Department of Agricultural have launched an online portal for
5466 applications to deploy communications and other utility
5467 infrastructure on federal property in a timely manner.

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5468 The bill requires the National Telecommunications and
5469 Information Administration to report to Congress every 60
5470 days on the status of this application portal, expediting the
5471 swift deployment of this portal.

5472 Yesterday, the Communications and Technology
5473 Subcommittee discussed, at length, the importance of
5474 maximizing the effectiveness of broadband programs, such as
5475 the BEAD Program, and members, from both sides of the aisle,
5476 highlighted how critical it is that we ensure the success of
5477 these programs.

5478 An online portal option will assist these agencies with
5479 managing the increased number of applications, maximizing the
5480 benefits of these important programs. We all agree this is
5481 an important opportunity that we must harness and this
5482 legislation is a good governance approach that will provide
5483 certainty and ease of access to industry, while preserving
5484 critical environmental and historic preservation protections.

5485 The bill ensures that we are continuing to thoughtfully
5486 modernize permitting applications in a bipartisan manner.
5487 Thank you, Madam Chairwoman, for including this bill as part
5488 of today's markup.

5489 I thank my co-chair, who I am working with and I urge

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5490 all of my colleagues, or co-lead, to all my colleagues to
5491 support the underlining bill. Thank you and I yield back.

5492 *The Chair. [Presiding.] The gentlelady yields back.
5493 Further discussion? The Chair recognizes Mrs. Miller-Meeks
5494 for five minutes to strike the last word.

5495 *Mrs. Miller-Meeks. Thank you, Madame chair.

5496 In deference to my stature, I will be brief.

5497 I was proud to introduce the Facilitating DIGITAL
5498 Applications Act with Representative Dingell. This
5499 legislation will expedite and improve tracking of broadband
5500 deployment on federal lands by requiring the NTIA to
5501 periodically report to Congress on whether the Departments of
5502 the Interior and Agriculture have established an online
5503 portal for the common form application to deploy a
5504 communications facility on federal property.

5505 This common-sense legislation will simplify and expedite
5506 broadband expansion and I urge my colleagues to support it.
5507 I yield back.

5508 *The Chair. The gentlelady yields back. Further
5509 discussion?

5510 Seeing none, the vote occurs on adopting H.R. 3282, as
5511 amended. The roll has been requested. The clerk will call

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5512 the roll.

5513 *The Clerk. Mr. Burgess?

5514 *Mr. Burgess. Burgess votes aye.

5515 *The Clerk. Mr. Burgess votes aye.

5516 Mr. Latta?

5517 *Mr. Latta. Aye.

5518 *The Clerk. Mr. Latta votes aye.

5519 Mr. Guthrie?

5520 *Mr. Guthrie. Aye.

5521 *The Clerk. Mr. Guthrie votes aye.

5522 Mr. Griffith?

5523 *Mr. Griffith. Aye.

5524 *The Clerk. Mr. Griffith votes aye.

5525 Mr. Bilirakis?

5526 *Mr. Bilirakis. Aye.

5527 *The Clerk. Mr. Bilirakis votes aye.

5528 Mr. Johnson?

5529 *Mr. Johnson. Aye.

5530 *The Clerk. Mr. Johnson votes aye.

5531 Mr. Bucshon?

5532 *Mr. Bucshon. Aye.

5533 *The Clerk. Mr. Bucshon votes aye.

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5534 Mr. Hudson?
5535 *Mr. Hudson. Aye.
5536 *The Clerk. Mr. Hudson votes aye.
5537 Mr. Walberg?
5538 *Mr. Walberg. Aye.
5539 *The Clerk. Mr. Walberg votes aye.
5540 Mr. Carter?
5541 *Mr. Carter. Aye.
5542 *The Clerk. Mr. Carter votes aye.
5543 Mr. Duncan?
5544 *Mr. Duncan. Aye.
5545 *The Clerk. Mr. Duncan votes aye.
5546 Mr. Palmer?
5547 *Mr. Palmer. Aye.
5548 *The Clerk. Mr. Palmer votes aye.
5549 Mr. Dunn?
5550 *Mr. Dunn. Aye.
5551 *The Clerk. Mr. Dunn votes aye.
5552 Mr. Curtis?
5553 *Mr. Curtis. Aye.
5554 *The Clerk. Mr. Curtis votes aye.
5555 Mrs. Lesko?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

5556 *Mrs. Lesko. Aye.
5557 *The Clerk. Mrs. Lesko votes aye.
5558 Mr. Pence?
5559 *Mr. Pence. Aye.
5560 *The Clerk. Mr. Pence votes aye.
5561 Mr. Crenshaw?
5562 *Mr. Crenshaw. Aye.
5563 *The Clerk. Mr. Crenshaw votes aye.
5564 Mr. Joyce?
5565 *Mr. Joyce. Aye.
5566 *The Clerk. Mr. Joyce votes aye.
5567 Mr. Armstrong?
5568 *Mr. Armstrong. Yes.
5569 *The Clerk. Mr. Armstrong votes aye.
5570 Mr. Weber?
5571 *Mr. Weber. Aye.
5572 *The Clerk. Mr. Weber votes aye.
5573 Mr. Allen?
5574 *Mr. Allen. Aye.
5575 *The Clerk. Mr. Allen votes aye.
5576 Mr. Balderson?
5577 *Mr. Balderson. Aye.

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5578 *The Clerk. Mr. Balderson votes aye.
5579 Mr. Fulcher?
5580 *Mr. Fulcher. Aye.
5581 *The Clerk. Mr. Fulcher votes aye.
5582 Mr. Pfluger?
5583 *Mr. Pfluger. Aye.
5584 *The Clerk. Mr. Pfluger votes aye.
5585 Mrs. Harshbarger?
5586 *Mrs. Harshbarger. Aye.
5587 *The Clerk. Mrs. Harshbarger votes aye.
5588 Mrs. Miller-Meeks?
5589 *Mrs. Miller-Meeks. Aye.
5590 *The Clerk. Mrs. Miller-Meeks votes aye.
5591 Mrs. Cammack?
5592 *Mrs. Cammack. Aye.
5593 *The Clerk. Mrs. Cammack votes aye.
5594 Mr. Obernolte?
5595 [No response.]
5596 *The Clerk. Mr. Pallone?
5597 *Mr. Pallone. Aye.
5598 *The Clerk. Mr. Pallone votes aye.
5599 Ms. Eshoo?

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5600 *Ms. Eshoo. Aye.
5601 *The Clerk. Ms. Eshoo votes aye.
5602 Ms. DeGette?
5603 *Ms. DeGette. Aye.
5604 *The Clerk. Ms. DeGette votes aye.
5605 Ms. Schakowsky?
5606 Can the gentlelady repeat her vote?
5607 *Ms. Schakowsky. Aye.
5608 *The Clerk. Ms. Schakowsky votes aye.
5609 Ms. Matsui?
5610 *Ms. Matsui. Aye.
5611 *The Clerk. Ms. Matsui votes aye.
5612 Ms. Castor?
5613 *Ms. Castor. Aye.
5614 *The Clerk. Ms. Castor votes aye.
5615 Mr. Sarbanes?
5616 *Mr. Sarbanes. Aye.
5617 *The Clerk. Mr. Sarbanes votes aye.
5618 Mr. Tonko?
5619 *Mr. Tonko. Aye.
5620 *The Clerk. Mr. Tonko votes aye.
5621 Ms. Clarke?

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5622 *Ms. Clarke. Aye.

5623 *The Clerk. Ms. Clarke votes aye.

5624 Mr. Cardenas?

5625 *Mr. Cardenas. Aye.

5626 *The Clerk. Mr. Cardenas votes aye.

5627 Mr. Ruiz?

5628 *Mr. Ruiz. Aye.

5629 *The Clerk. Mr. Ruiz votes aye.

5630 Mr. Peters?

5631 *Mr. Peters. Aye.

5632 *The Clerk. Mr. Peters votes aye.

5633 Mrs. Dingell?

5634 *Mrs. Dingell. Aye.

5635 *The Clerk. Mrs. Dingell votes aye.

5636 Mr. Veasey?

5637 *Mr. Veasey. Aye.

5638 *The Clerk. Mr. Veasey votes aye.

5639 Ms. Kuster?

5640 *Ms. Kuster. Aye.

5641 *The Clerk. Ms. Kuster votes aye.

5642 Ms. Kelly?

5643 *Ms. Kelly. Aye.

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5644 *The Clerk. Ms. Kelly votes aye.
5645 *The Clerk. Ms. Barragan.
5646 *Ms. Barragan. Aye.
5647 *The Clerk. Ms. Barragan votes aye.
5648 Ms. Blunt Rochester?
5649 *Ms. Blunt Rochester. Aye.
5650 *The Clerk. Ms. Blunt Rochester votes aye.
5651 Mr. Soto?
5652 *Mr. Soto. Aye.
5653 *The Clerk. Mr. Soto votes aye.
5654 Ms. Craig?
5655 *Ms. Craig. Aye.
5656 *The Clerk. Ms. Craig votes aye.
5657 Ms. Schrier?
5658 *Ms. Schrier. Aye.
5659 *The Clerk. Ms. Schrier votes aye.
5660 Mrs. Trahan?
5661 *Mrs. Trahan. Aye.
5662 *The Clerk. Mrs. Trahan votes aye.
5663 Mrs. Fletcher?
5664 *Mrs. Fletcher. Aye.
5665 *The Clerk. Mrs. Fletcher votes aye.

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5666 Chair Rodgers?

5667 *The Chair. Aye.

5668 *The Clerk. Chair Rodgers votes aye.

5669 *The Chair. The clerk will report.

5670 *The Clerk. Chair Rodgers, on that vote we have 51 ayes
5671 and zero nays.

5672 *The Chair. The ayes have it, the resolution is
5673 adopted.

5674 The Chair calls up H.R. 3343, and asks the clerk to
5675 report.

5676 *The Clerk. H.R. 3343, To Require the Assistant
5677 Secretary of Commerce for Communications --

5678 *The Chair. Without objection, the first reading of the
5679 bill is dispensed with and the bill will be open for
5680 amendment at any point, so ordered.

5681 Does anyone seek to be recognized on the bill?

5682 For what purpose does the gentleman seek recognition?

5683 *Mr. Pfluger. To speak in favor of the bill.

5684 *The Chair. The gentleman is recognized for five
5685 minutes to strike the last word.

5686 *Mr. Pfluger. Thank you, Chairwoman, and today I have
5687 legislation being marked up to require the NTIA to submit a

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5688 plan to Congress on tracking the acceptance, processing, and
5689 disposal of requests for communications use authorizations on
5690 federal property.

5691 This bipartisan legislation, the Federal Broadband
5692 Deployment Tracking Act, lead with my colleague,
5693 Representative Soto of Florida, will provide transparency and
5694 streamline the process for applications to deploy broadband
5695 on federal lands.

5696 Federal lands and assets play a critical role in
5697 telecommunications networks through rights of way, across
5698 lands, and siting equipment on lands and buildings. In a
5699 legislative hearing, earlier this year, we heard how tracking
5700 these applications can be challenging and often unsuccessful.

5701 This legislation would give applicants a clearer sense
5702 of where in the review process they are, which will help
5703 expedite much needed deployment.

5704 Just yesterday, we heard the NTIA administrator state
5705 his support for rural communities and the importance of their
5706 prioritization as we work to expand access to broadband.
5707 Many federal lands are rural and underserved, when it comes
5708 to broadband access. Making streamlined applications for
5709 broadband deployment on federal lands is especially

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5710 important.

5711 Broadband permitting reform is critical to enabling
5712 American leadership, across different industries and
5713 unleashing private sector innovation. I urge support of this
5714 legislation and yield back.

5715 *The Chair. The gentleman yields back. Further
5716 discussion?

5717 The Chair recognizes Mr. Soto for five minutes to strike
5718 the last word.

5719 *Mr. Soto. Thank you, Madam chair. I move to strike
5720 the last word.

5721 I am proud to introduce the Federal Broadband Deployment
5722 Tracking Act with my dear friend, Representative Pfluger from
5723 Texas. This ensures NTIA helps streamline the broadband
5724 deployment process on federal lands.

5725 They will have to submit a plan, tracking acceptance,
5726 processing, and disposal of communications use
5727 authorizations. We heard from the NTIA folks yesterday, from
5728 our Deputy Secretary of Commerce, about the importance of us
5729 all coordinating.

5730 We have to ensure the US Government is a willing, and
5731 reasonable participant in the rural broadband revolution that

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5732 is happening across this country funded by \$65 billion in
5733 rural broadband funding through the Infrastructure Law,
5734 including 42 billion for the BEAD Program.

5735 We are already seeing both the American Rescue Plan and
5736 BEAD Program funding transform the rural areas of our
5737 District. From Kingsmill, Deer Park, Bill's Creek, and
5738 Yeehaw Junction, we are getting rural broadband to areas that
5739 were left behind before.

5740 247 million, so far, has been awarded to Florida and we
5741 know we can receive up to 2 billion. These are to help our
5742 ranchers and our growers, to help out with hunting leases and
5743 conservation lands throughout the southern portions of our
5744 district, which are near many federal lands, including, in
5745 Central Florida, Avon Park, as well as areas like the
5746 Everglades and the Ocala National Forest.

5747 We need to make sure, whether it is federal land or
5748 private land, that we are all working together for this rural
5749 broadband revolution and I yield back.

5750 *The Chair. Further discussion?

5751 Seeing none, the question occurs on approving H.R. 3343,
5752 and a roll call vote has been requested. The Clerk will call
5753 the roll.

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5754 *The Clerk. Mr. Burgess?
5755 *Mr. Burgess. Burgess votes aye.
5756 *The Clerk. Votes aye.
5757 Mr. Latta?
5758 *Mr. Latta. Aye.
5759 *The Clerk. Mr. Latta votes aye.
5760 Mr. Guthrie?
5761 *Mr. Guthrie. Aye.
5762 *The Clerk. Mr. Guthrie votes aye.
5763 Mr. Griffith?
5764 *Mr. Griffith. Aye.
5765 *The Clerk. Mr. Griffith votes aye.
5766 Mr. Bilirakis?
5767 [No response.]
5768 *The Clerk. Mr. Johnson? Mr. Johnson?
5769 *Mr. Johnson. Yes. Aye.
5770 *The Clerk. Mr. Johnson votes aye.
5771 Mr. Bucshon?
5772 *Mr. Bucshon. Aye.
5773 *The Clerk. Mr. Bucshon votes aye.
5774 Mr. Hudson?
5775 *Mr. Hudson. Aye.

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5776 *The Clerk. Mr. Hudson votes aye.
5777 Mr. Walberg?
5778 *Mr. Walberg. Aye.
5779 *The Clerk. Mr. Walberg votes aye.
5780 Mr. Carter?
5781 *Mr. Carter. Aye.
5782 *The Clerk. Mr. Carter votes aye.
5783 Mr. Duncan?
5784 *Mr. Duncan. Aye.
5785 *The Clerk. Mr. Duncan votes aye.
5786 Mr. Palmer?
5787 *Mr. Palmer. Aye.
5788 *The Clerk. Mr. Palmer votes aye.
5789 Mr. Dunn?
5790 *Mr. Dunn. Aye.
5791 *The Clerk. Mr. Dunn votes aye.
5792 Mr. Curtis?
5793 *Mr. Curtis. Aye.
5794 *The Clerk. Mr. Curtis votes aye.
5795 Mrs. Lesko?
5796 *Mrs. Lesko. Aye.
5797 *The Clerk. Mrs. Lesko votes aye.

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5798 Mr. Pence?
5799 *Mr. Pence. Aye.
5800 *The Clerk. Mr. Pence votes aye.
5801 Mr. Crenshaw?
5802 *Mr. Crenshaw. Aye.
5803 *The Clerk. Mr. Crenshaw votes aye.
5804 Mr. Joyce?
5805 *Mr. Joyce. Aye.
5806 *The Clerk. Mr. Joyce votes aye.
5807 Mr. Armstrong?
5808 *Mr. Armstrong. Yes.
5809 *The Clerk. Mr. Armstrong votes aye.
5810 Mr. Weber?
5811 *Mr. Weber. Yes.
5812 *The Clerk. Mr. Weber votes aye.
5813 Mr. Allen?
5814 *Mr. Allen. Aye.
5815 *The Clerk. Mr. Allen votes aye.
5816 Mr. Balderson?
5817 *Mr. Balderson. Aye.
5818 *The Clerk. Mr. Balderson votes aye.
5819 Mr. Fulcher?

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5820 *Mr. Fulcher. Aye.

5821 *The Clerk. Mr. Fulcher votes aye.

5822 Mr. Pfluger?

5823 *Mr. Pfluger. Aye.

5824 *The Clerk. Mr. Pfluger votes aye.

5825 Mrs. Harshbarger?

5826 *Mrs. Harshbarger. Aye.

5827 *The Clerk. Mrs. Harshbarger votes aye.

5828 Mrs. Miller-Meeks?

5829 *Mrs. Miller-Meeks. Yes.

5830 *The Clerk. Mrs. Miller-Meeks votes aye.

5831 Mrs. Cammack?

5832 *Mrs. Cammack. Aye.

5833 *The Clerk. Mrs. Cammack votes aye.

5834 Mr. Obernolte?

5835 [No response.]

5836 *The Clerk. Mr. Pallone?

5837 *Mr. Pallone. Aye.

5838 *The Clerk. Mr. Pallone votes aye.

5839 Ms. Eshoo?

5840 *Ms. Eshoo. Aye.

5841 *The Clerk. Ms. Eshoo votes aye.

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5842 Ms. DeGette?

5843 *Ms. DeGette. Aye.

5844 *The Clerk. Ms. DeGette votes aye.

5845 Ms. Schakowsky?

5846 *Ms. Schakowsky. Aye.

5847 *The Clerk. Ms. Schakowsky votes aye.

5848 Ms. Matsui?

5849 *Ms. Matsui. Aye.

5850 *The Clerk. Ms. Matsui votes aye.

5851 Ms. Castor?

5852 [No response.]

5853 *The Clerk. Mr. Sarbanes?

5854 *Mr. Sarbanes. Aye.

5855 *The Clerk. Mr. Sarbanes votes aye.

5856 Mr. Tonko?

5857 *Mr. Tonko. Aye.

5858 *The Clerk. Mr. Tonko votes aye.

5859 Ms. Clarke?

5860 *Ms. Clarke. Aye.

5861 *The Clerk. Ms. Clarke votes aye.

5862 Mr. Cardenas?

5863 *Mr. Cardenas. Aye.

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5864 *The Clerk. Mr. Cardenas votes aye.
5865 Mr. Ruiz?
5866 *Mr. Ruiz. Aye.
5867 *The Clerk. Mr. Ruiz votes aye.
5868 Mr. Peters?
5869 *Mr. Peters. Aye.
5870 *The Clerk. Mr. Peters votes aye.
5871 Mrs. Dingell? Mrs. Dingell?
5872 *Mrs. Dingell. Aye.
5873 *The Clerk. Mrs. Dingell votes aye.
5874 Mr. Veasey?
5875 *Mr. Veasey. Yes.
5876 *The Clerk. Mr. Veasey votes aye.
5877 Ms. Kuster?
5878 *Ms. Kuster. Aye.
5879 *The Clerk. Ms. Kuster votes aye.
5880 Ms. Kelly?
5881 *Ms. Kelly. Aye.
5882 *The Clerk. Ms. Kelly votes aye.
5883 *The Clerk. Ms. Barragan.
5884 *Ms. Barragan. Aye.
5885 *The Clerk. Ms. Barragan votes aye.

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5886 Ms. Blunt Rochester?
5887 *Ms. Blunt Rochester. Aye.
5888 *The Clerk. Ms. Blunt Rochester votes aye.
5889 Mr. Soto?
5890 *Mr. Soto. Aye.
5891 *The Clerk. Mr. Soto votes aye.
5892 Ms. Craig?
5893 *Ms. Craig. Aye.
5894 *The Clerk. Ms. Craig votes aye.
5895 Ms. Schrier?
5896 *Ms. Schrier. Aye.
5897 *The Clerk. Ms. Schrier votes aye.
5898 Mrs. Trahan?
5899 *Mrs. Trahan. Aye.
5900 *The Clerk. Mrs. Trahan votes aye.
5901 Mrs. Fletcher?
5902 *Mrs. Fletcher. Aye.
5903 *The Clerk. Mrs. Fletcher votes aye.
5904 Chair Rodgers?
5905 *The Chair. Aye.
5906 *The Clerk. Chair Rodgers votes aye.
5907 *The Chair. Madame clerk, how is Ms. Castor reported?

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5908 *The Clerk. Ms. Castor is not recorded.

5909 *Ms. Castor. Castor, aye.

5910 *The Clerk. Ms. Castor votes aye.

5911 *The Chair. How is --

5912 *Mr. Bilirakis. How am I recorded?

5913 *The Clerk. Mr. Bilirakis is not recorded.

5914 *Mr. Bilirakis. Bilirakis votes aye.

5915 *The Clerk. Mr. Bilirakis votes aye.

5916 *The Chair. The clerk will report.

5917 *The Clerk. Chair Rodgers, on that vote we have 51 ayes

5918 and zero nays.

5919 *The Chair. The ayes have it, the bill is adopted.

5920 The Chair calls up H.R. 3565, and asks the clerk to

5921 report.

5922 *The Clerk. H.R. 3565, a bill to authorize the federal

5923 communications --

5924 *The Chair. Without objection, the first reading of the

5925 bill is dispensed with. The bill will be open for amendment

5926 at any point. So ordered.

5927 Does anyone seek to be recognized on the bill?

5928 For what purpose does the gentleman seek recognition,

5929 Mr. Hudson?

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5930 *Mr. Hudson. To speak on the bill.

5931 *The Chair. The gentleman will be recognized for five
5932 minutes to strike the last word.

5933 *Mr. Hudson. Thank you, Madame chair. And I want to
5934 thank you and Chairman Latta and Ranking Member Pallone and
5935 Matsui for working with me and my good friend, Representative
5936 Eshoo to help advance Next Gen 911 Act, which is included in
5937 H.R. 3565.

5938 For 50 years 9-1-1 systems have served the needs of the
5939 public in emergencies. As communication technologies have
5940 evolved to include wireless phones, texts, and picture
5941 messaging, video chat, social media, and voice over internet
5942 protocol devices or VOIP. I think there is a reasonable
5943 expectation that the same technology we carry around with us
5944 all day can be used in an emergency.

5945 While efforts are underway across the nation to enable
5946 call centers to accept text messages, the future success of
5947 9-1-1 in serving the publics' needs will only be possible
5948 when public safety answering points have transitioned to an
5949 internet protocol base 9-1-1 system, commonly referred to as
5950 Next Gen 911, or NG 911.

5951 NG 911 will enhance emergency number services by

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5952 creating a faster, more resilient system that allows digital
5953 information, for example, voice, photos, videos, text
5954 messages, to flow seamlessly from the public, through the 9-
5955 1-1 network and, eventually, directly to the first
5956 responders.

5957 It will also enable 9-1-1 call centers to transfer 9-1-1
5958 calls to other call centers and help them deal with call
5959 overloads, disasters, and day-to-day transfer of 9-1-1 calls
5960 to other jurisdictions.

5961 This legislation is critical, so I urge support of H.R.
5962 3565 and I look forward to seeing this bipartisan Next Gen
5963 911 Act pass the House again and with that I would love to
5964 yield to my colleague, Mr. Guthrie.

5965 *Mr. Guthrie. Thank you. Instead of taking my own
5966 time, I just want to thank you for yielding.

5967 I just want to point out this bill funds unmanned needs
5968 for the Rip and Replace Program, which Congress established
5969 on a bipartisan basis, to reimburse small providers for the
5970 replacement of untrusted equipment in their networks.

5971 Full funding for this program is vital to protect our
5972 networks from adversarial countries like China, but it also
5973 includes H.R. 1677, the Smart Spectrum Act.

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5974 The Smart Spectrum Act will require the National
5975 Telecommunications and Information Administration to
5976 establish an incumbent informing capability system to improve
5977 spectrum management and facilitate spectrum sharing between
5978 federal entities as well as sharing the federal spectrum
5979 between federal and non-federal users.

5980 This system would help mitigate harmful interference.
5981 As always, I enjoy working with my friend from California,
5982 Ms. Matsui, on these issues. And I will yield back to my
5983 friend from North Carolina.

5984 *Mr. Hudson. And with that, unless anyone else would
5985 like some time, I would yield back, Madame Chair. Thank you.

5986 *The Chair. The gentleman yields back.

5987 Further discussion? Ms. Eshoo is recognized for five
5988 minutes to strike the last word.

5989 *Ms. Eshoo. Thank you, Madame chair. I move to strike
5990 the last word.

5991 9-1-1 is a lifeline for Americans in their greatest
5992 moments of need. In an emergency, a few things are more
5993 important than these three numbers, when it comes to getting
5994 help.

5995 When my children were beginning to understand some

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5996 things, I said this to them over, and over, and over again so
5997 that they would know if something was very wrong, to dial
5998 these three numbers.

5999 After the horrific attacks on our country on September
6000 11th, I co-founded the e911 Caucus in the House. Most of you
6001 were not in the Congress then. I founded that caucus with
6002 Congressman John Shimkus and two US Senators, Conrad Burns
6003 and Hillary Clinton, to support first responders in the
6004 public safety community by moving our nation's 9-1-1 services
6005 into the 21st Century.

6006 Unfortunately, we have not reached our goal. I mean,
6007 imagine this, since over all of these years, we haven't
6008 reached our goal and most of the United States 9-1-1 call
6009 centers continue to use legacy technology developed over 50
6010 years ago.

6011 Representative Hudson and I, is a wonderful partner,
6012 introduced the Next Generation 911 Act to help states and
6013 local jurisdictions modernize their 9-1-1 systems. So this
6014 is something that every single member in every single
6015 congressional district will benefit from. It is not a
6016 certain region. It is not a certain party. It is not just
6017 for women. This is everyone in our country.

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6018 This legislation, included our bill and will provide
6019 \$14.8 billion for states and localities to adopt NG 911
6020 technology and help modernize finally, finally, finally our
6021 call centers.

6022 Obviously, it is going to harness the power of this
6023 century because it will allow 9-1-1 emergency communication
6024 centers to receive real-time location information. That
6025 means text messages, photos, videos from individuals at the
6026 scene of an emergency and then share that information with
6027 first responders.

6028 It will also make our emergency communication centers
6029 more secure, more resilient, more interoperable and reliable.
6030 Think back to 9/11. With first responders going into the
6031 towers, police and fire could not communicate with each
6032 other. There wasn't any interoperability and we are still
6033 struggling to make that a reality, but this legislation can
6034 make it so.

6035 So I am pleased to partner with Mr. Hudson. I am
6036 pleased that the legislation has the support of a very broad
6037 coalition of law enforcement and public safety organizations,
6038 including the Major County Sheriff's of America, the Major
6039 Cities Chief Association, the National Sheriff's Association,

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6040 the International Association of Chiefs of Police, the
6041 International Association of Fire Chiefs, The Metropolitan
6042 Fire Chiefs Association, the National Association of State
6043 EMS Officials, Association of Public Safety Communications
6044 Officials, the National Association of State 911
6045 Administrators, and the National Emergency Number
6046 Association. I think that covers all corners and then some.

6047 So I want to thank the organizations. They certainly
6048 know what it means to be a stakeholder in this and I urge
6049 everyone to support this. Let's get this done for our
6050 country. Let's just get it done, put it away. We will all
6051 be better off.

6052 With that, I yield back, Madame chairwoman.

6053 *The Chair. The gentlelady yields back. Further
6054 discussion?

6055 Further discussion? Gentleman from Alabama, Mr. Palmer,
6056 is recognized for five minutes.

6057 *Mr. Palmer. I move to strike the last word and I just
6058 like to always acknowledge when we have a discussion about 9-
6059 -1-1 that it was created in Haleyville, Alabama, and I yield
6060 back.

6061 *The Chair. The gentleman yields back. The lady from

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6062 California, Ms. Matsui is recognized for five minutes to
6063 strike the last word.

6064 *Ms. Matsui. Yes, Madam chair, thank you.

6065 I move to strike the last word?

6066 Once again, the House is acting. We are showing a
6067 bipartisan willingness to say enough is enough. The longer
6068 this lapse drags on, the more we continue to hemorrhage
6069 global stature and economic growth.

6070 The underlying structure of this bill continues the
6071 bipartisan, bicamera framework agreed to last year. It
6072 reestablishes FCC auction authority, reinserts the long-
6073 standing statutory role as civilian agencies, and funds the
6074 vital national security initiatives.

6075 Specifically, it finishes the work we started on Rip and
6076 Replace. As a regional co-sponsor of the Securing Trusted
6077 Networks Act, I cannot stress enough the severity of the
6078 threat.

6079 There is Chinese gear in America telecommunications
6080 networks as we speak. This gear has been recognized, by the
6081 international community, to be vulnerable. It is carrying
6082 our personal, financial, and sensitive health information.
6083 This is just flat-out unacceptable.

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6084 It is no over statement to say that this is a national
6085 security emergency. I say that because without additional
6086 funding, the FCC will be forced to prorate reimbursements on
6087 July 15th for many providers, but especially small rural
6088 ones. This will undercut their ability to remove Huawei and
6089 ZTE gear.

6090 Congress cannot let this happen. Let me repeat.
6091 Congress cannot let this happen. For many of us, who have
6092 been working on this issue, it feels as if we see the train
6093 coming, but refuse to get off the tracks.

6094 Thankfully, this bill will provide a vehicle for
6095 addressing the funding shortfall and make good on bipartisan
6096 congressional mandate, getting vulnerable Chinese equipment
6097 out of our networks as soon as possible.

6098 I know some have some reservations about this bill's
6099 approach. They site national security as the reason for
6100 their unwillingness to move forward. I don't want to make
6101 light of those concerns, but it is important to point out
6102 that not acting is a direct threat to America's national
6103 security.

6104 It lets the Chinese maintain a back door into our
6105 networks. It tarnishes our standing on the international

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6106 stage, and it limits our ability to remain the global center
6107 of innovation.

6108 So I appreciate this Committee for taking the lead, as
6109 it always has consistently, throughout this debate for
6110 keeping this conversation alive and taking another important
6111 step forward.

6112 I look forward to supporting this bill on the floor as
6113 soon as possible. With that, Madame chair, I yield back the
6114 remainder of my time.

6115 *The Chair. The gentlelady yields back. Further
6116 discussion?

6117 Are there bipartisan amendments to the bill?

6118 *Mr. Pallone. Madame Chair?

6119 *The Chair. The Chair recognizes the ranking member,
6120 Mr. Pallone for five minutes.

6121 *Mr. Pallone. Thank you, Madame Chair. I have an
6122 amendment, in the nature of a substitute, at the desk. It is
6123 labeled H3565_AINS_01.

6124 *The Chair. The clerk will report the amendment.

6125 *The Clerk. Amendment, in the nature of a substitute,
6126 to H.R. 3565, offered by Mr. Pallone, strike all --

6127 *The Chair. Without objection, the reading of the

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6128 amendment is dispensed with.

6129 The gentleman is recognized for five minutes.

6130 [The amendment of Mr. Pallone follows:]

6131

6132 *****COMMITTEE INSERT*****

6133

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6134 *Mr. Pallone. Thank you, Chair Rodgers.

6135 My amendment, in the nature of a substitute, is
6136 bipartisan and makes one technical clarification to H.R.
6137 3565.

6138 My colleagues, I am proud to have worked with Chair
6139 Rodgers on this AINS and the underlying legislation. Today
6140 the Energy and Commerce Committee is once again considering
6141 legislation to extend the Federal Communications Commissions
6142 spectrum auction authority, a program that has been important
6143 for US innovation and leadership.

6144 It is a shame that it has been hanging in the balance
6145 now for over two months. The bill is very similar to the
6146 agreement we reached with Senate Commerce Committee members
6147 last year.

6148 First, the bill reauthorizes the FCC's Auction Authority
6149 Program and also seeks to make additional spectrum available
6150 for commercial purposes. It would then direct proceeds from
6151 spectrum auctions to fund two critical programs, the FCC's
6152 Rip and Replace Program, which helps secure our
6153 communication's networks from security risks like Huawei gear
6154 and Next Generation 9-1-1, which will fund grants to bring
6155 modern communications infrastructure to our emergency

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6156 response systems.

6157 This will ensure that all communities have access to
6158 modern emergency infrastructure, so that the public can
6159 interact with first responders using texts, photos, and
6160 videos, which will save lives.

6161 The bill also requires important spectrum coordination
6162 processes be in place and restores the role of the National
6163 Telecommunications and Information Administration as the
6164 clear manager of federal spectrum.

6165 The AINS makes one technical correction to change a
6166 definition, to align it with the three-year extension.
6167 Again, I want to thank Chair Rodgers for working with me on
6168 this AINS and I am please to join her in this effort.

6169 And again, this bill benefits the American public and
6170 will help strengthen the US's ability to remain a leader on
6171 the global stage in furthering innovative spectrum uses and
6172 policies.

6173 So for all these reasons, this is an important amendment
6174 and a worthwhile bill and I urge my colleagues to support it.
6175 And with that, I yield back, Madame chair.

6176 *The Chair. The gentleman yields back. I recognize
6177 myself to strike the last word on the amendment.

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6178 I want to begin by thanking Ranking Member Pallone for
6179 working with us over the last year on extending and now
6180 reauthorizing the FCC's spectrum auction authority.

6181 Several times the House has acted to ensure the FCC's
6182 auction authority did not lapse. Last Congress, the
6183 Committee and the House passed the Spectrum Innovation Act.
6184 This year we passed my legislation to extend the FCC's
6185 auction authority until May 19th.

6186 Today, we are renewing our effort, hopefully, the third
6187 time is a charm. The Spectrum Reauthorization Act of 2023,
6188 would authorize the FCC's auction authority for three years,
6189 giving the FCC a key tool to ensure Americans get faster,
6190 better service and better position the United States as they
6191 continue to negotiate spectrum policy with our allies in
6192 preparation for the World Radio Communication Conference this
6193 year.

6194 It would also establish more certainty in the spectrum
6195 management process by restoring more regular order to the
6196 existing 3 Gigahertz auction, without disrupting the ongoing
6197 study being done by the Department of Defense.

6198 The bill would direct future spectrum auction proceeds
6199 to fund the \$3.08 billion shortfall for reimbursing small and

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6200 rural broadband providers to remove equipment that could pose
6201 a threat to our national security and military installations.

6202 If this legislation does not become law before July
6203 15th, many of these providers could go out of business,
6204 leaving rural Americans unconnected.

6205 It would fund the bipartisan Next Generation 9-1-1 Grant
6206 Program, led by Mr. Hudson and Ms. Eshoo, to ensure first
6207 responders and the public have the tools they need to respond
6208 in times of an emergency.

6209 It would lay the foundation to this Committee's work on
6210 broader spectrum pipeline legislation by directing studies on
6211 the feasibility of making federal spectrum available for
6212 commercial use.

6213 And it would establish the incumbent informing
6214 capability at NTIA to bolster these efforts. It is
6215 imperative to our economy, our national security, and to our
6216 international credibility on spectrum policy that we move
6217 this legislation as quickly as possible.

6218 I look forward to working with my colleagues in the
6219 House and the Senate to move this to the President's desk and
6220 I yield back.

6221 Is there further discussion on the AINS?

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6222 Seeing none, the vote occurs on the AINS, the amendment,
6223 in the nature of a substitute.

6224 All those in favor, say aye.

6225 Those opposed, nay?

6226 The ayes have it. The AINS is adopted.

6227 The question now occurs on approving H.R. 3565, as
6228 amended, and a roll call has been requested.

6229 The clerk will call the roll.

6230 *The Clerk. Mr. Burgess?

6231 *Mr. Burgess. Aye.

6232 *The Clerk. Mr. Burgess votes aye.

6233 Mr. Latta?

6234 *Mr. Latta. Aye.

6235 *The Clerk. Mr. Latta votes aye.

6236 Mr. Guthrie?

6237 *Mr. Guthrie. Aye.

6238 *The Clerk. Mr. Guthrie votes aye.

6239 Mr. Griffith?

6240 [No response.]

6241 *The Clerk. Mr. Bilirakis?

6242 [No response.]

6243 *The Clerk. Mr. Johnson? Mr. Johnson?

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6244 *Mr. Johnson. Aye.
6245 *The Clerk. Mr. Johnson votes aye.
6246 Mr. Bucshon?
6247 *Mr. Bucshon. Aye.
6248 *The Clerk. Mr. Bucshon votes aye.
6249 Mr. Hudson?
6250 *Mr. Hudson. Aye.
6251 *The Clerk. Mr. Hudson votes aye.
6252 Mr. Walberg?
6253 *Mr. Walberg. Aye.
6254 *The Clerk. Mr. Walberg votes aye.
6255 Mr. Carter?
6256 *Mr. Carter. Aye.
6257 *The Clerk. Mr. Carter votes aye.
6258 Mr. Duncan?
6259 *Mr. Duncan. Aye.
6260 *The Clerk. Mr. Duncan votes aye.
6261 Mr. Palmer?
6262 *Mr. Palmer. Aye.
6263 *The Clerk. Mr. Palmer votes aye.
6264 Mr. Dunn?
6265 *Mr. Dunn. Aye.

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6266 *The Clerk. Mr. Dunn votes aye.
6267 Mr. Curtis?
6268 [No response.]
6269 *The Clerk. Mrs. Lesko?
6270 *Mrs. Lesko. Aye.
6271 *The Clerk. Mrs. Lesko votes aye.
6272 Mr. Pence?
6273 *Mr. Pence. Aye.
6274 *The Clerk. Mr. Pence votes aye.
6275 Mr. Crenshaw?
6276 *Mr. Crenshaw. Aye.
6277 *The Clerk. Mr. Crenshaw votes aye.
6278 Mr. Joyce?
6279 *Mr. Joyce. Aye.
6280 *The Clerk. Mr. Joyce votes aye.
6281 Mr. Armstrong?
6282 *Mr. Armstrong. Yes.
6283 *The Clerk. Mr. Armstrong votes aye.
6284 Mr. Weber?
6285 *Mr. Weber. Aye.
6286 *The Clerk. Mr. Weber votes aye.
6287 Mr. Allen?

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6288 *Mr. Allen. Aye.
6289 *The Clerk. Mr. Allen votes aye.
6290 Mr. Balderson?
6291 *Mr. Balderson. Aye.
6292 *The Clerk. Mr. Balderson votes aye.
6293 Mr. Fulcher?
6294 *Mr. Fulcher. Aye.
6295 *The Clerk. Mr. Fulcher votes aye.
6296 Mr. Pfluger?
6297 *Mr. Pfluger. Aye.
6298 *The Clerk. Mr. Pfluger votes aye.
6299 Mrs. Harshbarger?
6300 *Mrs. Harshbarger. Aye.
6301 *The Clerk. Mrs. Harshbarger votes aye.
6302 Mrs. Miller-Meeks?
6303 *Mrs. Miller-Meeks. Yes.
6304 *The Clerk. Mrs. Miller-Meeks votes aye.
6305 Mrs. Cammack?
6306 *Mrs. Cammack. Yes.
6307 *The Clerk. Mrs. Cammack votes aye.
6308 Mr. Obernolte?
6309 [No response.]

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6310 *The Clerk. Mr. Pallone?
6311 *Mr. Pallone. Aye.
6312 *The Clerk. Mr. Pallone votes aye.
6313 Ms. Eshoo?
6314 *Ms. Eshoo. Aye.
6315 *The Clerk. Ms. Eshoo votes aye.
6316 Ms. DeGette?
6317 *Ms. DeGette. Aye.
6318 *The Clerk. Ms. DeGette votes aye.
6319 Ms. Schakowsky?
6320 [No response.]
6321 *The Clerk. Ms. Matsui?
6322 *Ms. Matsui. Aye.
6323 *The Clerk. Ms. Matsui votes aye.
6324 Ms. Castor?
6325 *Ms. Castor. Aye.
6326 *The Clerk. Ms. Castor votes aye.
6327 Mr. Sarbanes?
6328 *Mr. Sarbanes. Aye.
6329 *The Clerk. Mr. Sarbanes votes aye.
6330 Mr. Tonko?
6331 [No response.]

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6332 *The Clerk. Ms. Clarke?
6333 *Ms. Clarke. Aye.
6334 *The Clerk. Ms. Clarke votes aye.
6335 Mr. Cardenas?
6336 *Mr. Cardenas. Aye.
6337 *The Clerk. Mr. Cardenas votes aye.
6338 Mr. Ruiz?
6339 *Mr. Ruiz. Aye.
6340 *The Clerk. Mr. Ruiz votes aye.
6341 Mr. Peters?
6342 *Mr. Peters. Aye.
6343 *The Clerk. Mr. Peters votes aye.
6344 Mrs. Dingell?
6345 *Mrs. Dingell. Aye.
6346 *The Clerk. Mrs. Dingell votes aye.
6347 Mr. Veasey?
6348 *Mr. Veasey. Aye.
6349 *The Clerk. Mr. Veasey votes aye.
6350 Ms. Kuster?
6351 *Ms. Kuster. Aye.
6352 *The Clerk. Ms. Kuster votes aye.
6353 Ms. Kelly?

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6354 *Ms. Kelly. Aye.

6355 *The Clerk. Ms. Kelly votes aye.

6356 *The Clerk. Ms. Barragan.

6357 *Ms. Barragan. Aye.

6358 *The Clerk. Ms. Barragan votes aye.

6359 Ms. Blunt Rochester?

6360 *Ms. Blunt Rochester. Aye.

6361 *The Clerk. Ms. Blunt Rochester votes aye.

6362 Mr. Soto?

6363 *Mr. Soto. Aye.

6364 *The Clerk. Mr. Soto votes aye.

6365 Ms. Craig?

6366 *Ms. Craig. Aye.

6367 *The Clerk. Ms. Craig votes aye.

6368 Ms. Schrier?

6369 *Ms. Schrier. Aye.

6370 *The Clerk. Ms. Schrier votes aye.

6371 Mrs. Trahan?

6372 *Mrs. Trahan. Aye.

6373 *The Clerk. Mrs. Trahan votes aye.

6374 Mrs. Fletcher?

6375 *Mrs. Fletcher. Aye.

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6376 *The Clerk. Mrs. Fletcher votes aye.
6377 Chair Rodgers?
6378 *The Chair. Aye.
6379 *The Clerk. Chair Rodgers votes aye.
6380 Mr. Bilirakis is not recorded.
6381 *Mr. Bilirakis. Bilirakis votes aye.
6382 *The Clerk. Mr. Bilirakis votes aye.
6383 *The Chair. Mr. Curtis?
6384 *The Clerk. Mr. Curtis is not recorded.
6385 *Mr. Curtis. Mr. Curtis votes aye.
6386 *The Clerk. Mr. Curtis votes aye.
6387 *The Chair. Ms. Schakowsky?
6388 *The Clerk. Ms. Schakowsky is not recorded.
6389 *Ms. Schakowsky. Schakowsky votes yes.
6390 *The Clerk. Ms. Schakowsky votes aye.
6391 *The Chair. How is Mr. Tonko recorded?
6392 *The Clerk. Mr. Tonko is not recorded.
6393 *Mr. Tonko. It is aye.
6394 *The Clerk. Mr. Tonko votes aye.
6395 *The Chair. The clerk will report.
6396 *The Clerk. Chair Rodgers, on that vote we have 50 ayes
6397 and zero nays.

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6398 *The Chair. The ayes have it, the bill is adopted.

6399 The chair calls up H.R. 3557, and asks the clerk to
6400 report.

6401 *The Clerk. H.R. 3557, a bill to streamline federal,
6402 state --

6403 *The Chair. Without objection, the first reading of the
6404 bill is dispensed with. The bill will be open for amendment
6405 at any point, so ordered.

6406 Does anyone seek to be recognized on the bill?

6407 For what purpose does the gentleman seek recognition?
6408 Mr. Carter?

6409 *Mr. Carter. Madame chair, I seek permission to offer
6410 an amendment in the nature of a substitute.

6411 *The Chair. The clerk will report.

6412 *The Clerk. Amendment, in the nature of a substitute,
6413 to H.R. 3557, offered by Mr. Carter of Georgia.

6414 *The Chair. Without objection, the amendment is
6415 considered read, the amendment reading will be dispensed
6416 with.

6417 The gentleman from Georgia, Mr. Carter, is recognized
6418 for five minutes on the AINS.

6419 [The amendment of Mr. Carter follows:]

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6420

6421 *****COMMITTEE INSERT*****

6422

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6423 *Mr. Carter. Thank you, Madam chair.

6424 Madame chair, I call up my amendment permitting ANS 02.
6425 This amendment makes technical changes to the text approved
6426 by the Subcommittee.

6427 I would like to thank my colleagues on the
6428 Communications and Tech Subcommittee for their work to lead
6429 on different solutions to lower barriers and streamline the
6430 processes for deploying broadband to all Americans.

6431 While the Infrastructure and Investment Jobs Act was a
6432 missed opportunity, the proposal is an important step in
6433 unleashing innovation and turbocharging public and private
6434 investment. This bill includes several provisions authored
6435 by my Republican subcommittee colleagues addressing
6436 everything from duplicate or unnecessary environmental
6437 reviews, capping application fees, and providing certainty on
6438 the timely -- on the timelines for reviewing permitting
6439 requests.

6440 First, this bill would streamline the process for
6441 requesting approvals to deploy new broadband infrastructure,
6442 including wireless towers, fiber broadband, and cable
6443 service provider requests. The bill would require that
6444 application fees to review permitting applications are based

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6445 on actual and direct cost, that providers receive a response
6446 within a reasonable amount of time, and that there are clear
6447 rules of the road for when these timeframes begin and end.
6448 And in cases where a broadband provider thinks they were
6449 wrongfully denied the ability to provide service, they can
6450 receive relief. These changes will allow providers to focus
6451 their time and energy on what matters most: connecting all
6452 Americans.

6453 Second, this bill will streamline the process for
6454 requesting approval to upgrade existing infrastructure,
6455 including adding 5G to existing 4G towers, upgrading old
6456 copper lines to fiber or deploying open RAN compatible
6457 technologies that will help trusted equipment vendors
6458 develop an alternative to Chinese vendors like Huawei and
6459 ZTE. These changes will help limit the environmental impact
6460 of needing new infrastructure by encouraging providers to
6461 upgrade facilities in areas that have already undergone an
6462 environmental or historic preservation review.

6463 Lastly, this bill will ensure that environmental and
6464 historic preservation reviews for broadband deployments are
6465 proportional to the level of development taking place. In
6466 cases where broadband providers are simply upgrading

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6467 infrastructure and rights-of-way, they have already been
6468 disturbed by other communications or electric utility
6469 infrastructure, and environmental review has already been
6470 undertaken, and the land has already been disturbed. This
6471 bill would remove the requirement to conduct these reviews
6472 to deploy broadband infrastructure on these lands.

6473 This includes waiving the environmental and historic
6474 reviews to replace untrusted Huawei equipment that is
6475 eligible for reimbursement under the Secure and Trusted
6476 Communications Networks Act. This straightforward reform
6477 will remove a key barrier to broadband deployment,
6478 especially on federal lands where reviews can take more than
6479 two years.

6480 This bill combines legislation led by my Republican
6481 colleagues on this committee, and I would like to thank them
6482 for their thoughtful proposals to bring affordable broadband
6483 to their communities quickly and ensure the -- that taxpayer
6484 dollars are not wasted on more red tape. I urge my
6485 colleagues to support this legislation, and I yield back.

6486 *The Chair. The gentleman yields back. Further
6487 discussion on the AINS?

6488 The gentleman -- or the gentleman from Ohio is

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6489 recognized for five minutes, Mr. Johnson, on the -- to
6490 strike the last word.

6491 *Mr. Johnson. Chair Rodgers, I move to strike the last
6492 word.

6493 *The Chair. The gentleman is recognized for five
6494 minutes to strike the last word.

6495 *Mr. Johnson. I strongly support this important
6496 legislation, H.R. 3557, which provides a whole package of
6497 broadband permitting reform bills offered by members of this
6498 committee. Permitting reform at the federal, state, and
6499 local levels are long overdue. With billions being spent on
6500 broadband deployment, it is critical that we make sure these
6501 funds will be used in a timely and cost-efficient manner to
6502 bridge the digital divide. And this legislation combines
6503 dozens of commonsense reforms to help accomplish that goal.

6504 Specifically, this bill includes the text of my
6505 legislation, H.R. 3289, the Wireless Competition and
6506 Efficient Broadband Deployment Act, which would remove the
6507 requirement to prepare an environmental or historic
6508 preservation review in order to add new or upgrade existing
6509 wireless facilities infrastructure. Eliminating repetitive
6510 and burdensome reviews is common sense and leads to more

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6511 efficient broadband deployment.

6512 So I urge my colleagues to support this package of
6513 vital broadband permitting reforms, and I yield back.

6514 *The Chair. The gentleman yields back. The Chair
6515 recognizes Mr. Peters for five minutes.

6516 *Mr. Peters. Thank you, Madam Chair. I have been
6517 really outspoken about my interest in reforming processes to
6518 make things go faster in the wake of the amazing historic
6519 investments we have made in the IRA and the Bipartisan
6520 Infrastructure Law. And I think that we need that reform in
6521 energy, we need that reform in CHIPS. Energy if we are
6522 going to achieve our climate goals; CHIPS if we are going to
6523 actually compete with China and secure our supply chain, and
6524 I believe broadband as well.

6525 And so I want to thank the authors for addressing this
6526 issue. I am not going to support this version of it because
6527 of a few things that perhaps we could work on, but I want to
6528 acknowledge the work that they have done, and I think that
6529 there is room for improvement in the process that we have
6530 before us.

6531 One thing that I think that this issue tries to deal
6532 with is the local conflict. We have a national interest in

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6533 building out broadband, but we will face challenges at the
6534 local level, and I appreciate the idea of the shot clock
6535 that is in this bill. I was -- I started on the city
6536 council; I was a city council member and city council
6537 president. One of the things the Federal Government did for
6538 me was the Telecommunications Act of 1996. It basically
6539 said that local governments had no jurisdiction to stop cell
6540 towers. We had determined as a Federal Government that they
6541 were safe, that they were necessary to build out our
6542 infrastructure, and I was able as a city council member to
6543 say we do not have jurisdiction over that, and it didn't
6544 interfere with the development of the communications
6545 network.

6546 I think the Federal Government may be in that position
6547 to do that on things like broadband and some energy
6548 projects, and so I want to indicate my openness to that. I
6549 think the shot clock here is a little too tight. I think 60
6550 days is tough. And I think also my understanding is that
6551 the Democratic staff presented some contingencies that we
6552 wanted taken care of that the -- my friends on the other
6553 side were not willing to accept at this time.

6554 The NEPA exemptions are a little bit overbroad for me;

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6555 although I think there is room to work on detailed review --
6556 targeted review for things that are already disturbed like
6557 Mr. Carter described. And I am in -- I just want to
6558 indicate my willingness, despite my view that this is overly
6559 broad, to work on a better process in the future with my
6560 colleagues. I think we all have an interest in closing the
6561 digital divide. We have the money in the bank. We don't
6562 want that money to be wasted; we want it to go to the people
6563 who need it.

6564 And I think today is a good start, but it is not there
6565 yet for me. So I yield back.

6566 *The Chair. The gentleman yields back. Mr. Duncan is
6567 recognized for five minutes to strike the last word.

6568 *Mr. Duncan. Thank you, Madam Chair. I move to strike
6569 the last word and speak on the bill.

6570 I want to thank the authors of this legislation. It is
6571 important to build out broadband across the country,
6572 especially in the rural areas like South Carolina. I
6573 understand there is concern about some of the work that is
6574 being done on and around railroad right-of-ways, and I know
6575 the committee has made a commitment to work with the
6576 stakeholders to address the railroad right-of-way work and

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6577 just to make sure that our rails are safe and secure, and so
6578 I want to commend the committee for being able to look at
6579 that, work with the railroads, and see if we can come up
6580 with some language before this goes to the floor to tweak it
6581 a little bit and make sure that the railroad right-of-ways
6582 are protected and adhered to.

6583 And with that, I yield back.

6584 *The Chair. The gentleman yields back. Any further
6585 discussion?

6586 The Chair recognizes Mrs. Lesko for five minutes to
6587 strike the last word.

6588 *Mrs. Lesko. Thank you, Madam Chair. I want to say
6589 thank you to Congressman Carter and others for leading the
6590 American Broadband Deployment Act which aims to remove
6591 barriers to broadband expansion and close the digital
6592 divide. This bill includes the text of my bill, the Cable
6593 Expansion Act.

6594 The Cable Expansion Act streamlines the permitting
6595 process for cable operators that apply to a franchise
6596 authority to deploy new or collocated facilities for
6597 broadband service. Additionally, the bill preserves local
6598 authority over siting facilities for cable service while

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6599 establishing a responsibility to respond on franchising
6600 authorities and placing reasonable limits on aspects of such
6601 reviews, such as establishing criteria for denial and
6602 ensuring nondiscriminatory review requirements.

6603 The bill also establishes a timeline within which an
6604 application would be required to be approved or denied. If
6605 a request is not approved or denied within reason, within
6606 the established timeframes, the request would automatically
6607 be deemed granted. As broadband companies work to lay cable
6608 lines to deliver faster speeds for customers, they are often
6609 faced with a patchwork of regulatory laws to continue their
6610 projects across county and state lines.

6611 Broadband companies usually deal with franchising
6612 authorities at the city and county levels to get regulatory
6613 approval to continue their projects. In many cases, entire
6614 projects are put on hold as one franchising authority has
6615 not weighed in on the proposal for their jurisdiction. This
6616 bill requires franchise authorities to make a judgment on
6617 broadband infrastructure in a timely manner. Specifically,
6618 90 days are given to franchise authorities to approve or
6619 deny projects requiring authorization to place, construct,
6620 or modify a cable or similar infrastructure.

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6621 I am proud to have my bill included in the American
6622 Broadband Deployment Act that aims to turbocharge public and
6623 private investment by promoting new and upgraded
6624 infrastructure deployments boosting competition,
6625 streamlining permitting processes, facilitating broadband
6626 deployment on federal lands, and closing the digital divide
6627 in both rural and urban areas.

6628 I yield back.

6629 *Mr. Latta. [Presiding] The gentlelady yields back.
6630 Are there others wishing to speak on the AINS?

6631 The gentlelady from Illinois seeks recognition.

6632 *Ms. Kelly. I just want to thank the authors of the
6633 bill. My district is urban, suburban, and rural, and I have
6634 a lot of folks that need help with broadband, but I did want
6635 to share a letter that we received from the City of Chicago,
6636 and it represents national organizations representing local
6637 governments from mid-April to the subcommittee -- or now to
6638 the committee. Their primary concerns are that the bill
6639 will allow cable operators to modify terms or requirements
6640 and franchise agreements, it will prohibit state and local
6641 governments from revoking cable franchises, preempt state
6642 and local zoning authority over the placement of cellphone

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6643 towers and equipment, eliminate state and local government
6644 authority to manage public right-of-ways, and to collect
6645 fair market compensation for their use and management, and
6646 preempt state and local zoning authority over the placement
6647 of some cable equipment.

6648 They feel it will also impact 5G and future wireless
6649 broadband deployments on City of Chicago right-of-way. Also
6650 will prevent our ability to encourage and incentivize more
6651 equitable wireless developments. So I'm just reading their
6652 concerns.

6653 *Mr. Latta. Does the gentlelady wish to include the
6654 letter in the record and submit?

6655 *Ms. Kelly. This is just the overall summary.

6656 *Mr. Latta. Okay. All right, thank you. Okay.

6657 *Ms. Kelly. I will find the letter.

6658 *Mr. Latta. Thank you.

6659 *Ms. Kelly. Thank you.

6660 *Mr. Latta. Does the gentlelady yield back? The
6661 gentlelady yields back. Are there others wishing to speak
6662 on the AINS?

6663 The gentleman from Indiana seeks recognition. Why does
6664 the gentleman seek recognition?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6665 *Mr. Pence. I move to strike the last word, Mr.
6666 Chairman.

6667 *Mr. Latta. The gentleman moves to strike the last
6668 word and is recognized for five minutes.

6669 *Mr. Pence. Thank you, Mr. Chair.

6670 I urge my colleagues to join me in supporting the
6671 American Broadband Deployment Act which includes my
6672 legislation, H.R. 3342, the SPEED Act. I am glad to work
6673 with my colleagues to move this legislation forward by
6674 helping to cut red tape in the permitting process and
6675 effectively deploy broadband to Hoosiers at a faster pace.
6676 The SPEED Act is a solution to the duplicative broadband
6677 permitting review process for companies who are currently
6678 working to reinstall new equipment in the same right-of-way.

6679 Under current law, companies who wish to replace
6680 equipment must undergo nonessential and redundant permitting
6681 applications just to replace equipment in the same area.
6682 This legislation, in addition to the American Broadband
6683 Deployment Act, ensures companies can effectively provide
6684 internet service to millions of Americans in need who don't
6685 have it as well. Hoosiers have waited too long to have
6686 access to critical internet infrastructure and many

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6687 Americans remain at risk of being left behind by our
6688 Nation's growing digital divide.

6689 The SPEED Act will streamline the permitting process
6690 for broadband infrastructure so that residents in rural
6691 areas have more modern accessible broadband. I urge support
6692 of this bill and yield back the balance of my time.

6693 *Mr. Latta. The gentleman yields back. Are there
6694 others wishing to speak on the bill -- or on the AINS?

6695 The gentleman from Pennsylvania is recognized -- seeks
6696 recognition. What does the gentleman seek recognition for?

6697 *Mr. Joyce. Mr. Chairman, I move to strike the last
6698 word and speak in favor of the bill.

6699 *Mr. Latta. The gentleman is recognized for five
6700 minutes and seeks to strike the last word.

6701 *Mr. Joyce. Thank you, Mr. Chairman. I want to offer
6702 my support of the package of permitting bills before us
6703 today, including H.R. 3288, the Broadband Competition and
6704 Efficiency Deployment Act. In the 21st century, access to
6705 reliable broadband is truly the key to success, especially
6706 in rural Pennsylvania communities. The critical tool is
6707 what drives the economy, it connects students with their
6708 teachers, it cultivates farmlands and aids dairy farmers

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6709 each and every day. It allows doctors to see their
6710 patients, it allows small businesses to communicate with
6711 their customers, and it allows families to connect with
6712 their loved ones.

6713 Yet too many Americans in districts like mine continue
6714 to be long overdue for fast, affordable, and reliable
6715 internet access. Something that seems so simple and
6716 fundamental is often met with opposition or delay,
6717 especially with regard to buildout and permitting for this
6718 necessary infrastructure.

6719 In an effort to close the connectivity divide, I have
6720 led legislation that would cut through the bureaucratic red
6721 tape and streamline the permitting process in order to speed
6722 up the deployment of critical broadband infrastructure. It
6723 is the responsibility of this body to begin the process of
6724 deploying broadband to these often overlooked and
6725 underserved communities.

6726 Therefore, I urge adoption of this package of bills and
6727 yield the balance of my time.

6728 *Mr. Latta. The gentleman yields back. Are there
6729 others wishing to speak on the AINS?

6730 [No response.]

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

6731 *Mr. Latta. Hearing none, are there amendments? Oh,
6732 I'm sorry. I'm sorry. The gentleman from Ohio is -- seeks
6733 recognition. Why does the gentleman from Ohio seek
6734 recognition?

6735 *Mr. Balderson. Thank you, Mr. Chairman. I have an
6736 amendment at the desk.

6737 *Mr. Latta. The clerk will report the amendment.

6738 *The Clerk. To clarify, is this BALDOH_008?

6739 *Mr. Balderson. Yes, ma'am.

6740 *The Clerk. Okay.

6741 *Mr. Latta. The clerk will report the amendment.

6742 *The Clerk. Amendment to the amendment in the nature
6743 of a substitute to H.R. 3557 offered by Mr. Balderson of
6744 Ohio.

6745 *Mr. Latta. Without objection, the first reading of
6746 the amendment is dispensed with and the amendment is open
6747 for -- at this time for discussion.

6748 Mr. Balderson.

6749 *Mr. Balderson. Thank you, Mr. Chairman.

6750 During the legislative hearing on broadband permitting,
6751 we heard from stakeholders about the primary barriers they
6752 encounter when deploying new broadband networks. One of

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6753 these barriers was deploying telecommunications service
6754 facilities at railroad crossings. And he left.

6755 This amendment builds on the discussion we had at the
6756 hearing by making state or local authorization to access a
6757 public right-of-way sufficient for placing, constructing, or
6758 modifying a telecommunications service facility within a
6759 public right-of-way that intersects with a transportation
6760 crossing. Rail safety is paramount. That is why this
6761 amendment also instructs the commission to coordinate
6762 directly with the Department of Transportation to create
6763 regulations that ensure safety while allowing for timely
6764 placement of telecommunications service facilities.

6765 This amendment is good middle ground to ensure the
6766 buildout of networks in a timely manner while also making
6767 sure we can do compromised rail safety. I urge my
6768 colleagues to support this amendment.

6769 [The amendment of Mr. Balderson follows:]

6770

6771 *****COMMITTEE INSERT*****

6772

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6773 *Mr. Balderson. I yield back, Mr. Chairman.

6774 *Mr. Latta. Thank you very much. The gentleman yields
6775 back. Are there others wishing to speak on the amendment?

6776 [No response.]

6777 *Mr. Latta. Hearing no further discussion, the vote
6778 occurs on the amendment. All those in favor of the
6779 amendment signify by saying aye.

6780 Those opposed nay.

6781 The ayes have it, and the amendment is agreed to.

6782 Are there any further -- other further amendments?

6783 For what purpose does the ranking member seek
6784 recognition?

6785 *Mr. Pallone. Mr. Chairman, I have an amendment at the
6786 desk titled Deemed 01.

6787 *Mr. Latta. The clerk will report.

6788 *The Clerk. Amendment to the amendment in the nature
6789 of a substitute to H.R. 3557 offered by Mr. Pallone. Page
6790 12, strike Line 25 --

6791 *Mr. Latta. Without objection, the reading of the
6792 amendment is dispensed with, and the gentleman is recognized
6793 for five minutes in support of his amendment.

6794 *Mr. Pallone. Thank you, Mr. Chairman.

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6795 I offered this amendment at last week's subcommittee
6796 markup, but I believe at this point it is critically
6797 important and bears repeating. My amendment aims to remove
6798 arbitrary deadlines and narrow timeframes in this bill that
6799 preempt state and local authority's ability to make
6800 decisions that suit their communities needs and best
6801 interests. That is why these deemed granted provisions that
6802 Republicans are rushing through I think are a bad process
6803 and, you know, are troubling to me and local elected
6804 officials in the towns we represent.

6805 H.R. 3557 would enact narrow and arbitrary timeframes
6806 to approve or deny applications and then deem them granted
6807 if a decision hasn't been made by that time. Now to be
6808 clear, if a local planning board or town council is
6809 reviewing a project and does not approve it under a deadline
6810 set by House Republicans, the applicant's proposal would
6811 automatically be considered approved without any further
6812 input from the community. And I have serious concerns that
6813 this approach raises more questions than answers, especially
6814 when it comes to liability in the case of accidents.

6815 The reality is no matter where you go in this country,
6816 local governments have an important role to play reviewing

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6817 and improving construction projects. My Republican
6818 colleagues like to demonize local governments for not
6819 approving projects in the amount of time they would like,
6820 but this bill does nothing to address a major concern that
6821 was raised by all of the witnesses at the legislative
6822 hearing on this topic, and that is a lack of qualified
6823 personnel to process these applications, particularly in
6824 smaller towns and counties. Instead, they would waive their
6825 wand and approve these applications without further process.

6826 Now anyone who has served at the local level, and I
6827 have, knows there is a lot more to these decisions than a
6828 simple yes or no. In many cases, there is negotiation
6829 between towns or counties and communication providers for
6830 access to rights-of-way or other publicly-owned areas. This
6831 one size fits all mandate to approve projects in two months
6832 weakens a community's ability to get the job done right
6833 while at the same time ignoring the realities of many local
6834 government calendars.

6835 People who serve in county and municipal government are
6836 public servants who are accountable to the people who live
6837 in their communities, and they are responsible for acting in
6838 their best interest, especially as it pertains to utilities

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6839 and services in a county or town. And no one thinks about
6840 who is responsible for ensuring there is ample public safety
6841 personnel for traffic duty to ensure the safety of the
6842 workers and community members alike during construction or
6843 the complexity of scheduling certain construction projects
6844 to avoid road closures or other disruptions that can and
6845 often do occur as a result.

6846 It is the mayors, and councils, and planning boards,
6847 and zoning boards who are responsible for these
6848 considerations, and they are on the hook if anything goes
6849 wrong or someone gets hurt. And perhaps that is why we
6850 received a letter today from the Georgia Municipal
6851 Association which represents all 537 municipalities in the
6852 bill sponsor's home state, and they strongly oppose this
6853 bill. And I would ask unanimous consent to submit this
6854 letter for the record, Mr. Chairman.

6855 *Mr. Latta. Without objection.

6856 [The information follows:]

6857

6858 *****COMMITTEE INSERT*****

6859

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6860 *Mr. Pallone. Thank you.

6861 I have great respect for my friend from Georgia. He
6862 knows how much I love the state. But I am struggling to
6863 understand how his constituents and mine are served well by
6864 these proposals, because the deemed granted provisions are
6865 not the only areas where this legislation removes critical
6866 local authorities. At best, these provisions remove local
6867 leverage to negotiate the specifics of projects to best
6868 serve the community. At worse, they can put people at risk.

6869 And those of us that work closely with our mayors and
6870 council, which I think is true for everyone on the dais
6871 here, we know that they are the first ones to step up when
6872 it comes to deploying communications infrastructure in their
6873 towns. What possible advantage would come from deliberately
6874 ignoring or delaying requests to improve services for their
6875 constituents?

6876 So last week I challenged my Republican colleagues to
6877 tell their mayors they voted for this bill the next time
6878 they went home and see what they say. So when I went home
6879 this past weekend, and I saw some of the mayors in my
6880 counties, I mentioned it to them and, of course, I was glad
6881 to not be on the record supporting this bill. So I would

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6882 encourage our colleagues on the other side of the aisle to
6883 go back to the drawing board and work with Democrats in a
6884 productive way that might actually get some bills signed
6885 into law.

6886 It is not as though Democrats are not trying to provide
6887 thoughtful ways to enact permitting reform bills that do not
6888 trample on these protections, but so far the Republicans
6889 have said no. So I urge all of my colleagues on both sides
6890 of the aisle to preserve state and local authority and vote
6891 yes on the amendment.

6892 [The amendment of Mr. Pallone follows:]

6893

6894 *****COMMITTEE INSERT*****

6895

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6896 *Mr. Pallone. And with that, Mr. Chairman, I yield
6897 back.

6898 *Mr. Latta. Thank you. The gentleman yields back.
6899 Are there any others wishing to be recognized on the
6900 amendment?

6901 The gentleman from Georgia is recognized for five
6902 minutes.

6903 *Mr. Carter. Mr. Chairman, I move to strike the last
6904 word.

6905 *Mr. Latta. The gentleman is recognized.

6906 *Mr. Carter. Mr. Chairman, with 42 billion dollars
6907 ready to go out the door for broadband development, we have
6908 to provide accountability on agencies and certainty to
6909 providers whether or not they will get their permits
6910 approved. Delays in the permitting process have the
6911 potential to ruin the success of connecting all Americans,
6912 and we cannot risk this money getting wasted.

6913 Here the Democrats are trying to strike deemed grant
6914 remedies created in this bill to ensure that state and local
6915 governments act within their review times. What is
6916 interesting is that some of the deemed grant remedies they
6917 are trying to strike were first enacted by the Democrats.

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6918 Deemed grant remedies are not new. One already exists when
6919 state and local governments fail to act on an eligible
6920 facilities request within 60 days. This was enacted in a
6921 bipartisan rulemaking implemented by a Democrat FCC.

6922 Then FCC Commissioner Rosenworcel and Chairman Wheeler
6923 both praised the rules as balancing the need to streamline
6924 the permitting process for the next generation of wireless
6925 technology while preserving state and local authority.
6926 Commissioner Rosenworcel, speaking about the FCC's order,
6927 "That is because the rules we put in place today are our
6928 first steps to encourage development of infrastructure that
6929 is absolutely critical for the next generation of wireless
6930 service, that being 5G."

6931 Chairman Wheeler, speaking about the FCC's order, said,
6932 "Highspeed mobile broadband also requires highspeed
6933 broadband buildout. However, the regulatory burdens
6934 associated with deployments can be expensive and time
6935 consuming. This order takes concrete steps to immediately
6936 and substantially ease those burdens."

6937 My manager's amendment applies the same reasoning to
6938 other requests to deploy new fixed and mobile communications
6939 infrastructure. My amendment also broadens the deemed

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6940 grants to apply to federal agencies, which is necessary in
6941 order to ensure that the timeline requirements and the
6942 infrastructure law are met, and that the billions of dollars
6943 ready to be spent on deployment are not wasted. For that
6944 reason, I will oppose this amendment and urge my colleagues
6945 to vote no.

6946 And I yield back.

6947 *Mr. Latta. Thank you. The gentleman yields back. Is
6948 there further discussion on the amendment?

6949 [No response.]

6950 *Mr. Latta. Hearing no further discussion, a roll call
6951 has been requested. The clerk will take the roll.

6952 *The Clerk. Mr. Burgess?

6953 *Mr. Burgess. Burgess votes no.

6954 *The Clerk. Mr. Burgess votes no.

6955 Mr. Latta?

6956 *Mr. Latta. No.

6957 *The Clerk. Mr. Latta votes no.

6958 Mr. Guthrie?

6959 *Mr. Guthrie. No.

6960 *The Clerk. Mr. Guthrie votes no.

6961 Mr. Griffith?

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6962 *Mr. Griffith. No.
6963 *The Clerk. Mr. Griffith notes no.
6964 Mr. Bilirakis?
6965 *Mr. Bilirakis. [Inaudible.]
6966 *The Clerk. Mr. Bilirakis votes no.
6967 Mr. Johnson?
6968 *Mr. Johnson. No.
6969 *The Clerk. Mr. Johnson votes no.
6970 Mr. Bucshon?
6971 *Mr. Bucshon. No.
6972 *The Clerk. Mr. Bucshon votes no.
6973 Mr. Hudson?
6974 *Mr. Hudson. No.
6975 *The Clerk. Mr. Hudson votes no.
6976 Mr. Walberg?
6977 *Mr. Walberg. [Inaudible.]
6978 *The Clerk. Mr. Walberg votes no.
6979 Mr. Carter?
6980 *Mr. Carter. No.
6981 *The Clerk. Mr. Carter votes no.
6982 Mr. Duncan?
6983 *Mr. Duncan. No.

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6984 *The Clerk. Mr. Duncan votes no.

6985 Mr. Palmer?

6986 *The Clerk. Mr. Dunn?

6987 *Mr. Palmer. No.

6988 *The Clerk. Mr. Palmer votes no.

6989 Mr. Dunn?

6990 [No response.]

6991 *The Clerk. Mr. Curtis?

6992 [No response.]

6993 *The Clerk. Mrs. Lesko?

6994 *Mrs. Lesko. No.

6995 *The Clerk. Mrs. Lesko votes no.

6996 Mr. Pence?

6997 *Mr. Pence. No.

6998 *The Clerk. Mr. Pence votes no.

6999 Mr. Crenshaw?

7000 *Mr. Crenshaw. No.

7001 *The Clerk. Mr. Crenshaw votes no.

7002 Mr. Joyce?

7003 *Mr. Joyce. No.

7004 *The Clerk. Mr. Joyce votes no.

7005 Mr. Armstrong?

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7006 *Mr. Armstrong. No.

7007 *The Clerk. Mr. Armstrong votes no.

7008 Mr. Weber?

7009 *Mr. Weber. No.

7010 *The Clerk. Mr. Weber votes no.

7011 Mr. Allen?

7012 *Mr. Allen. No.

7013 *The Clerk. Mr. Allen votes no.

7014 Mr. Balderson?

7015 *Mr. Balderson. [Inaudible.]

7016 *The Clerk. Mr. Balderson votes no.

7017 Mr. Fulcher?

7018 *Mr. Fulcher. No.

7019 *The Clerk. Mr. Fulcher votes no.

7020 Mr. Pfluger?

7021 *Mr. Pfluger. No.

7022 *The Clerk. Mr. Pfluger votes no.

7023 Mrs. Harshbarger?

7024 *Mrs. Harshbarger. No.

7025 *The Clerk. Mrs. Harshbarger votes no.

7026 Mrs. Miller-Meeks?

7027 *Mrs. Miller-Meeks. No.

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7028 *The Clerk. Mrs. Miller-Meeks votes no.

7029 Mrs. Cammack?

7030 *Mrs. Cammack. No.

7031 *The Clerk. Mrs. Cammack votes no.

7032 Mr. Obernolte?

7033 [No response.]

7034 *The Clerk. Mr. Pallone?

7035 *Mr. Pallone. Aye.

7036 *The Clerk. Mr. Pallone votes aye.

7037 Ms. Eshoo?

7038 *Ms. Eshoo. [Inaudible.]

7039 *The Clerk. Ms. Eshoo votes aye.

7040 Ms. DeGette?

7041 *Ms. DeGette. Aye.

7042 *The Clerk. Ms. DeGette votes aye.

7043 Ms. Schakowsky?

7044 [No response.]

7045 *The Clerk. Ms. Matsui?

7046 *Ms. Matsui. Aye.

7047 *The Clerk. Ms. Matsui votes aye.

7048 Ms. Castor?

7049 *Ms. Castor. Aye.

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7050 *The Clerk. Ms. Castor votes aye.
7051 Mr. Sarbanes?
7052 *Mr. Sarbanes. Aye.
7053 *The Clerk. Mr. Sarbanes votes aye.
7054 Mr. Tonko?
7055 *Mr. Tonko. Aye.
7056 *The Clerk. Mr. Tonko votes aye.
7057 Ms. Clarke?
7058 *Ms. Clarke. Aye.
7059 *The Clerk. Ms. Clarke votes aye.
7060 Mr. Cardenas?
7061 *Mr. Cardenas. Aye.
7062 *The Clerk. Mr. Cardenas votes aye.
7063 Mr. Ruiz?
7064 *Mr. Ruiz. [Inaudible.]
7065 *The Clerk. Mr. Ruiz votes aye.
7066 Mr. Peters?
7067 *Mr. Peters. [Inaudible.]
7068 *The Clerk. Mr. Peters votes aye.
7069 Mrs. Dingell?
7070 *Mrs. Dingell. [Inaudible.]
7071 *The Clerk. Mrs. Dingell votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7072 Mr. Veasey?

7073 [No response.]

7074 *The Clerk. Ms. Kuster?

7075 *Ms. Kuster. Aye.

7076 *The Clerk. Ms. Kuster votes aye.

7077 Ms. Kelly?

7078 *Ms. Kelly. [Inaudible.]

7079 *The Clerk. Ms. Kelly votes aye.

7080 Ms. Barragan?

7081 *Ms. Barragan. Aye.

7082 *The Clerk. Ms. Barragan votes aye.

7083 Ms. Blunt Rochester?

7084 *Ms. Blunt Rochester. Aye.

7085 *The Clerk. Ms. Blunt Rochester votes aye.

7086 Mr. Soto?

7087 *Mr. Soto. Aye.

7088 *The Clerk. Mr. Soto votes aye.

7089 Ms. Craig?

7090 *Ms. Craig. Aye.

7091 *The Clerk. Ms. Craig votes aye.

7092 Ms. Schrier?

7093 *Ms. Schrier. [Inaudible.]

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7094 *The Clerk. Ms. Schrier votes aye.

7095 Mrs. Trahan?

7096 *Mrs. Trahan. [Inaudible.]

7097 *The Clerk. Mrs. Trahan votes aye.

7098 Mrs. Fletcher?

7099 *Mrs. Fletcher. Aye.

7100 *The Clerk. Mrs. Fletcher votes aye.

7101 *Mr. Latta. Are there --

7102 *The Clerk. Chair Rodgers?

7103 *The Chair. [Inaudible.]

7104 *Mr. Latta. Are there members who --

7105 *The Clerk. Chair Rodgers votes aye.

7106 *Mr. Latta. -- wish to be recorded?

7107 *The Clerk. Oh, Chair Rodgers votes no.

7108 *Mr. Latta. How is the gentleman from Utah recorded?

7109 *The Clerk. Chair Rodgers votes no. Chair Rodgers is
7110 recorded as no.

7111 *Mr. Latta. Does -- have you -- the gentleman from
7112 Utah?

7113 *The Clerk. Mm-hmm. Mr. Curtis is not recorded.

7114 *Mr. Curtis. [Inaudible.]

7115 *The Clerk. Mr. Curtis votes no.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7116 *Mr. Latta. How is Mr. Dunn recorded?
7117 *The Clerk. Mm-hmm. Mr. Dunn is not recorded.
7118 *Mr. Dunn. No.
7119 *The Clerk. Mr. Dunn votes no.
7120 *Mr. Latta. Are there other members wishing to record
7121 their vote?
7122 [No response.]
7123 *Mr. Latta. The clerk will report the vote.
7124 *Voice. Oh, we got one.
7125 *Mr. Latta. Oh, I'm sorry. Do we have another?
7126 *Mr. Pallone. Veasey.
7127 *Voice. We got one.
7128 *Mr. Latta. Oh, I'm sorry. How is the gentleman from
7129 Texas recorded?
7130 *The Clerk. Mm-hmm. Mr. Veasey is not recorded.
7131 *Mr. Veasey. [Inaudible.]
7132 *The Clerk. Mm-hmm. Mr. Veasey votes aye.
7133 *Mr. Latta. Is the gentleman from Alabama recorded?
7134 *The Clerk. Mm-hmm. Mr. Palmer is recorded as no.
7135 *Mr. Latta. Okay, thank you. The clerk will report
7136 the roll.

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7137 *The Clerk. Mm-hmm. Chair Latta, on that vote, we
7138 have 22 ayes and 28 nays.

7139 *Mr. Latta. Thank you. The amendment is not agreed
7140 to. Are there further amendments?

7141 Why does the gentlelady from Michigan seek recognition?

7142 *Mrs. Dingell. Mr. Chairman, I have an amendment at the
7143 desk.

7144 *Mr. Latta. The Clerk will report the amendment. Which
7145 amendment is it to make sure we have that?

7146 *Mrs. Dingell. AINS Amendment 3.

7147 *The Clerk. You said Amendment 03?

7148 *Mrs. Dingell. Correct.

7149 *The Clerk. Amendment to the amendment in the nature of
7150 a substitute to H.R. 3557 offered by Mrs. Dingell.

7151 *Mr. Latta. Without objection, reading of the amendment
7152 is dispensed with, and the gentlelady is recognized for five
7153 minutes in support of her amendment.

7154 [The amendment 03 of Mrs. Dingell follows:]

7155

7156 *****COMMITTEE INSERT*****

7157

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7158 *Mrs. Dingell. Thank you, Mr. Chairman. It is
7159 essential that we were able to fully unleash the benefits of
7160 a once in a generation investment into broadband buildout.
7161 We all know and recognize that this is a critical opportunity
7162 for our communities and the nation. And as I have stated and
7163 will continue to state I want to work with my republican
7164 colleagues on bipartisan permitting reform efforts that will
7165 strengthen our economy, our competition with China and help
7166 us meet these climate goals.

7167 But these efforts must protect our landmark
7168 environmental and public health laws, and this includes any
7169 permitting changes to build out critical broadband networks,
7170 broadband programs that I remind everyone were made possible
7171 by the investments made in the Infrastructure Investment and
7172 Jobs Act. Not everybody supported that, but every community
7173 throughout the country stands to benefit from, and it will
7174 ensure that every American has affordable and quality
7175 broadband access.

7176 I am disappointed that the underlying bill does not
7177 identify targeted improvements, nor does it ensure the
7178 continued efficacy of environmental protections and community
7179 involvement in permitting processes. In reality, this bill

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7180 guts NEPA, the National Environmental Policy Act, making
7181 broad exceptions to this key environmental law frankly at the
7182 intense of both the health of our communities and the
7183 efficacy of the rollout of these new projects. This is
7184 deeply concerning.

7185 Look, I have made a commitment. John Dingell, who this
7186 room is named of was the original author of NEPA, and he
7187 wrote it 50 years ago. It needs to be modernized, but we
7188 have got to make sure we do it with protecting original
7189 intent, and you can do both. The Infrastructure Investment
7190 and Jobs Act laid out stringent timelines for network
7191 buildout to ensure that every American can receive affordable
7192 broadband service, a goal that we all share as internet
7193 access has become an absolute necessity for everyone to
7194 participate in the digital economy, education and more.

7195 Some of my colleagues here have raised concerns about
7196 our ability to meet these accessibility goals within the
7197 statutory time frame of that law while meeting all permitting
7198 requirements of federal, state and local laws. It is
7199 critical that we meet these goals, but it can't come at the
7200 direct expense of local jurisdictions' autonomy and important
7201 protections that safeguard American's health and access to

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7202 clean water, air and the environment.

7203 My amendment strikes out these harmful NEPA exclusions.

7204 We need to take a commonsense approach that balances the need

7205 for timely broadband permitting while ensuring that experts

7206 and others have been able to evaluate the potential harm

7207 instead of ignoring the issue altogether like this AINS would

7208 do.

7209 I do hope that we can all come together, republicans and

7210 democrats, to make thoughtful improvements to combat climate

7211 change, support robust network buildout and provide efficient

7212 and effective review of these new projects. I strongly urge

7213 every member of this Committee to support my amendment.

7214 Thank you, Mr. Chairman, and I yield back.

7215 *Mr. Latta. Thank you. The gentlelady yields back. Is

7216 there further discussion on the amendment?

7217 The gentlemen from Indiana.

7218 *Mr. Pence. Mr. Chairman, I move to strike the last

7219 word.

7220 *Mr. Latta. The gentleman seeks to strike the last word

7221 and is recognized for five minutes.

7222 *Mr. Pence. Thank you, Mr. Chairman. Mr. Carter's

7223 American Broadband Deployment Act takes reasonable steps to

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7224 limit and eliminate duplicative or unnecessary environmental
7225 reviews for broadband projects. In many cases, broadband
7226 infrastructure is being deployed in rights of ways or
7227 easements where communications and utility infrastructure
7228 already exists. These areas have already undergone
7229 environmental reviews yet we still require these in most
7230 cases unnecessary and duplicative reviews when coming back to
7231 add or upgrade broadband infrastructure.

7232 Republicans do not disagree that environmental reviews
7233 are necessary. Rather, those reviews should be proportionate
7234 to the disturbance being caused by the project. Where
7235 infrastructure already exists and where the broadband
7236 projects are small or not disturbing any new lands why should
7237 we repeat what we already know? These redundant reviews do
7238 not provide any tangible benefit, yet they add considerable
7239 cost and delay to broadband deployment.

7240 Our legislation is squarely focused on reducing
7241 environmental reviews for previously disturbed lands. This
7242 means that after a hurricane, tornado or wildfire rips
7243 through a community and destroys broadband infrastructure the
7244 permitting process won't add to the delay in restoring
7245 communications equipment. It means encouraging broadband

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7246 deployment to take place in existing utility corridors and
7247 preserve our environment rather than pushing projects to dig
7248 up new land that may be more cost effective without these
7249 reforms.

7250 I urge my colleagues to oppose this amendment and
7251 support Mr. Carter management amendment. With that I yield
7252 back.

7253 *Mr. Latta. Thank you. The gentleman yields back. Is
7254 there any further discussion on the amendment?

7255 Hearing none, at this time the vote occurs on the
7256 amendment.

7257 All those in favor, signify by saying aye.

7258 All those opposed, nay.

7259 A recorded vote has been requested. The Clerk will call
7260 the yeas and nays.

7261 *The Clerk. Mr. Burgess?

7262 *Mr. Burgess. No.

7263 *The Clerk. Mr. Burgess votes no.

7264 Mr. Latta?

7265 *Mr. Latta. No.

7266 *The Clerk. Mr. Latta votes no.

7267 Mr. Guthrie?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7268 *Mr. Guthrie. No.
7269 *The Clerk. Mr. Guthrie votes no.
7270 Mr. Griffith?
7271 *Mr. Griffith. No.
7272 *The Clerk. Mr. Griffith votes no.
7273 Mr. Bilirakis?
7274 *Mr. Bilirakis. No.
7275 *The Clerk. Mr. Bilirakis votes no.
7276 Mr. Johnson?
7277 *Mr. Johnson. No.
7278 *The Clerk. Mr. Johnson votes no.
7279 Mr. Bucshon?
7280 *Mr. Bucshon. No.
7281 *The Clerk. Mr. Bucshon votes no.
7282 Mr. Hudson?
7283 [No response.]
7284 *The Clerk. Mr. Walberg?
7285 *Mr. Walberg. No.
7286 *The Clerk. Mr. Walberg votes no.
7287 Mr. Carter?
7288 *Mr. Carter. No.
7289 *The Clerk. Mr. Carter votes no.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7290 Mr. Duncan?
7291 *Mr. Duncan. No.
7292 *The Clerk. Mr. Duncan votes no.
7293 Mr. Palmer?
7294 *Mr. Palmer. No.
7295 *The Clerk. Mr. Palmer votes no.
7296 Mr. Dunn?
7297 *Mr. Dunn. No.
7298 *The Clerk. Mr. Dunn votes no.
7299 Mr. Curtis?
7300 *Mr. Curtis. No.
7301 *The Clerk. Mr. Curtis votes no.
7302 Mrs. Lesko?
7303 *Mrs. Lesko. No.
7304 *The Clerk. Mrs. Lesko votes no.
7305 Mr. Pence?
7306 *Mr. Pence. No.
7307 *The Clerk. Mr. Pence votes no.
7308 Mr. Krenshaw?
7309 *Mr. Krenshaw. No.
7310 *The Clerk. Mr. Krenshaw votes no.
7311 Mr. Joyce?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7312 *Mr. Joyce. No.

7313 *The Clerk. Mr. Joyce votes no.

7314 Mr. Armstrong?

7315 *Mr. Armstrong. No.

7316 *The Clerk. Mr. Armstrong votes no.

7317 Mr. Weber?

7318 *Mr. Weber. No.

7319 *The Clerk. Mr. Weber votes no.

7320 Mr. Allen?

7321 *Mr. Allen. No.

7322 *The Clerk. Mr. Allen votes no.

7323 Mr. Balderson?

7324 *Mr. Balderson. No.

7325 *The Clerk. Mr. Balderson votes no.

7326 Mr. Fulcher?

7327 *Mr. Fulcher. No.

7328 *The Clerk. Mr. Fulcher votes no.

7329 Mr. Pfluger?

7330 *Mr. Pfluger. No.

7331 *The Clerk. Mr. Pfluger votes no.

7332 Mrs. Harshbarger?

7333 *Mrs. Harshbarger. No.

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7334 *The Clerk. Mrs. Harshbarger votes no.

7335 Mrs. Miller-Meeks?

7336 [No response.]

7337 *The Clerk. Mrs. Cammack?

7338 *Mrs. Cammack. No.

7339 *The Clerk. Mrs. Cammack votes no.

7340 Mr. Obernolte?

7341 [No response.]

7342 *The Clerk. Mr. Pallone?

7343 *Mr. Pallone. Aye.

7344 *The Clerk. Mr. Pallone votes aye.

7345 Ms. Eshoo?

7346 *Ms. Eshoo. Aye.

7347 *The Clerk. Ms. Eshoo votes aye.

7348 Ms. DeGette?

7349 *Ms. DeGette. Aye.

7350 *The Clerk. Ms. DeGette votes aye.

7351 Ms. Schakowsky?

7352 [No response.]

7353 *The Clerk. Ms. Matsui?

7354 *Ms. Matsui. Aye.

7355 *The Clerk. Ms. Matsui votes aye.

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7356 Ms. Castor?

7357 *Ms. Castor. Aye.

7358 *The Clerk. Ms. Castor votes aye.

7359 Mr. Sarbanes?

7360 *Mr. Sarbanes. Aye.

7361 *The Clerk. Mr. Sarbanes votes aye.

7362 *The Clerk. Mr. Tonko?

7363 *Mr. Tonko. Aye.

7364 *The Clerk. Mr. Tonko votes aye.

7365 Ms. Clarke?

7366 *Ms. Clarke. Aye.

7367 *The Clerk. Ms. Clarke votes aye.

7368 Mr. Cardenas?

7369 *Mr. Cardenas. Aye.

7370 *The Clerk. Mr. Cardenas votes aye.

7371 Mr. Ruiz?

7372 *Mr. Ruiz. Aye.

7373 *The Clerk. Mr. Ruiz votes aye.

7374 Mr. Peters?

7375 *Mr. Peters. Aye.

7376 *The Clerk. Mr. Peters votes aye.

7377 Mrs. Dingell?

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7378 *Mrs. Dingell. Aye.

7379 *The Clerk. Mrs. Dingell votes aye.

7380 Mr. Veasey?

7381 *Mr. Veasey. Aye.

7382 *The Clerk. Mr. Veasey votes aye.

7383 Ms. Kuster?

7384 *Ms. Kuster. Aye.

7385 *The Clerk. Ms. Kuster votes aye.

7386 Ms. Kelly?

7387 *Ms. Kelly. Aye.

7388 *The Clerk. Ms. Kelly votes aye.

7389 Ms. Barragan?

7390 *Ms. Barragan. Aye.

7391 *The Clerk. Ms. Barragan votes aye.

7392 Ms. Blunt Rochester?

7393 *Ms. Blunt Rochester. Aye.

7394 *The Clerk. Ms. Blunt Rochester votes aye.

7395 Mr. Soto?

7396 *Mr. Soto. Aye.

7397 *The Clerk. Mr. Soto votes aye.

7398 Ms. Craig?

7399 *Ms. Craig. Aye.

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7400 *The Clerk. Ms. Craig votes aye.
7401 Ms. Schrier?
7402 [No response.]
7403 *The Clerk. Mrs. Trahan?
7404 *Mrs. Trahan. Aye.
7405 *The Clerk. Mrs. Trahan votes aye.
7406 Mrs. Fletcher?
7407 *Mrs. Fletcher. Aye.
7408 *The Clerk. Mrs. Fletcher votes aye.
7409 Chair Rodgers?
7410 *The Chair. No.
7411 *The Clerk. Chair Rodgers votes no.
7412 *Mr. Latta. Are there members wishing to be recorded?
7413 *The Clerk. Mrs. Miller-Meeks, you are not recorded.
7414 *Mrs. Miller-Meeks. No.
7415 *The Clerk. Mrs. Miller-Meeks votes no.
7416 *Mr. Latta. Are there any other members wishing to be
7417 recorded?
7418 *The Clerk. Ms. Schrier, you are not recorded.
7419 *Ms. Schrier. Aye.
7420 *The Clerk. Ms. Schrier votes aye.
7421 *Mr. Latta. Are there any other members wishing to be

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7422 recorded? If not, The Clerk will report the result of the
7423 roll call.

7424 *The Clerk. Mr. Latta, on that vote there were 22 ayes
7425 and 27 noes.

7426 *Mr. Latta. Thank you. The amendment is not agreed to.
7427 Are there any other amendments at this time? For what
7428 purpose does the gentleman seek recognition?

7429 *Mr. Tonko. Mr. Chair, I have an amendment at the desk.
7430 I believe it's labeled Amendment 2.

7431 *Mr. Latta. The Clerk will report the amendment.

7432 *The Clerk. Amendment to the amendment in the nature of
7433 a substitute to H.R. 3557 offered by Mr. Tonko.

7434 *Mr. Latta. Without objection the reading of the
7435 amendment is dispensed with, and the gentleman is recognized
7436 for five minutes in support of the amendment.

7437 [The substitute amendment of Mr. Tonko follows:]

7438

7439 *****COMMITTEE INSERT*****

7440

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7441 *Mr. Tonko. Thank you, Mr. Chair. History and heritage
7442 in New York's Capitol region and in all of our districts are
7443 critical components of the fabric of the communities that we
7444 represent. The National Historic Preservation Act became law
7445 nearly 60 years ago to protect places that are significant in
7446 our nation's history, vital to our constituents today and
7447 certainly worthy of passing on to future generations, and the
7448 NHPA was enacted because common sense means of protecting
7449 these special places benefits everyone.

7450 Historic places and lands drive a powerful heritage
7451 tourism industry. They create local jobs and economic
7452 opportunity, support small businesses, provide affordable
7453 housing and contribute to public education. In my district
7454 today, historic downtowns house small businesses and draw
7455 visitors. A former stop on the Underground Railroad
7456 continues to provide support to marginalized members of our
7457 community, and the historic Erie Canal grounds the region in
7458 its innovative and pioneer spirit.

7459 While I care about historic preservation I also believe
7460 that every American should have access to quality and
7461 affordable broadband service, and it could be an opportunity
7462 to ensure that the process for review under the NHPA for

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7463 broadband projects is more efficient perhaps by excluding
7464 certain technological updates to projects that recently
7465 received NHPA approval from a second NHPA review.

7466 But this language goes much further than that by
7467 excepting a broad definition of "telecommunications
7468 projects" from any NHPA review and not just for projects on
7469 lands that have previously undergone such a review as the
7470 majority's memo suggests.

7471 My amendment would strike this language that broadly
7472 excludes broadband projects from NHPA review. All Americans
7473 deserve access to a quality and affordable broadband
7474 connection, and I do believe that we should be able to
7475 fulfill that promise without adversely affecting their local
7476 history, heritage or homeland infrastructure.

7477 With that I urge my colleagues to support this amendment
7478 and yield back, Mr. Chair.

7479 *Mr. Latta. Thank you. The gentleman yields back. Is
7480 there further discussion on the amendment? For what purpose
7481 does the gentleman from Michigan seek recognition?

7482 *Mr. Walberg. Mr. Chairman, striking the last word.

7483 *Mr. Latta. The gentleman is recognized for five
7484 minutes to strike the last word.

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7485 *Mr. Walberg. While I appreciate my colleague's
7486 amendment I truly believe Mr. Carter's American Broadband
7487 Deployment Act takes reasonable steps to limit and eliminate
7488 duplicative or unnecessary historic preservation reviews for
7489 broadband projects. In many cases, broadband infrastructure
7490 is being deployed in rights of way or easements where
7491 communications and utility infrastructure already exist.
7492 These areas have already undergone historic preservation
7493 reviews yet we still require these unnecessary and
7494 duplicative reviews when coming back to add or upgrade
7495 broadband infrastructure.

7496 Republicans do not disagree that these reviews are
7497 necessary, but where infrastructure already exists and where
7498 the broadband projects are small or not disturbing any new
7499 lands why should we repeat what we already know? These
7500 redundant reviews add considerable cost and delay to
7501 broadband deployment. Further, we want broadband deployment
7502 to take place in existing utility corridors rather than
7503 pushing projects to dig up new land. Requiring these
7504 duplicative reviews would encourage that waste.

7505 I urge my colleagues to oppose this amendment, and I
7506 support Mr. Carter's manager's amendment.

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7507 *Mr. Latta. The gentleman yields back. Is there
7508 further discussion on the amendment? The gentleman from
7509 Texas seeks recognition. For what purpose does the gentleman
7510 seek recognition?

7511 *Mr. Pfluger. Mr. Chairman, I seek a point of personal
7512 privilege.

7513 *Mr. Latta. The gentleman is recognized for a point of
7514 personal privilege.

7515 *Mr. Pfluger. Thank you, Mr. Chairman. I will keep it
7516 brief. We have 20 plus students from Garden City, Texas,
7517 here. We talk about rural broadband, Glasscock County,
7518 Texas. This is exactly what I spoke about yesterday about
7519 rural broadband. And I would like to recognize them because
7520 this is the future. Thank you all for being here, and I
7521 yield back.

7522 [Applause]

7523 *Mr. Latta. The gentleman yields back. Is there
7524 further discussion on the amendment? Hearing there is no
7525 further discussion, a roll call vote has been requested. The
7526 Clerk will call the roll.

7527 *The Clerk. Mr. Burgess.

7528 *Mr. Burgess. Burgess votes no.

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7529 *The Clerk. Mr. Burgess votes no.
7530 Mr. Latta?
7531 *Mr. Latta. No.
7532 *The Clerk. Mr. Latta votes no.
7533 Mr. Guthrie?
7534 [No response.]
7535 *The Clerk. Mr. Griffith?
7536 *Mr. Griffith. No.
7537 *The Clerk. Mr. Griffith votes no.
7538 Mr. Bilirakis?
7539 *Mr. Bilirakis. No.
7540 *The Clerk. Mr. Bilirakis votes no.
7541 Mr. Johnson?
7542 *Mr. Johnson. No.
7543 *The Clerk. Mr. Johnson votes no.
7544 Mr. Bucshon?
7545 *Mr. Bucshon. No.
7546 *The Clerk. Mr. Bucshon votes no.
7547 Mr. Hudson?
7548 [No response.]
7549 *The Clerk. Mr. Walberg?
7550 *Mr. Walberg. No.

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7551 *The Clerk. Mr. Walberg votes no.
7552 Mr. Carter?
7553 [No response.]
7554 *The Clerk. Mr. Duncan?
7555 *Mr. Duncan. No.
7556 *The Clerk. Mr. Duncan votes no.
7557 Mr. Palmer?
7558 *Mr. Palmer. No.
7559 *The Clerk. Mr. Palmer votes no.
7560 Mr. Dunn?
7561 *Mr. Dunn. No.
7562 *The Clerk. Mr. Dunn votes no.
7563 Mr. Curtis?
7564 *Mr. Curtis. No.
7565 *The Clerk. Mr. Curtis votes no.
7566 Mrs. Lesko?
7567 *Mrs. Lesko. No.
7568 *The Clerk. Mrs. Lesko votes no.
7569 Mr. Pence?
7570 *Mr. Pence. No.
7571 *The Clerk. Mr. Pence votes no.
7572 Mr. Krenshaw?

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7573 *Mr. Krenshaw. No.

7574 *The Clerk. Mr. Krenshaw votes no.

7575 Mr. Joyce?

7576 [No response.]

7577 *The Clerk. Mr. Armstrong?

7578 *Mr. Armstrong. No.

7579 *The Clerk. Mr. Armstrong votes no.

7580 Mr. Weber?

7581 *Mr. Weber. Negative.

7582 *The Clerk. Mr. Weber votes no.

7583 Mr. Allen?

7584 *Mr. Allen. No.

7585 *The Clerk. Mr. Allen votes no.

7586 Mr. Balderson?

7587 *Mr. Balderson. No.

7588 *The Clerk. Mr. Balderson votes no.

7589 Mr. Fulcher?

7590 *Mr. Fulcher. No.

7591 *The Clerk. Mr. Fulcher votes no.

7592 Mr. Pfluger?

7593 *Mr. Pfluger. No.

7594 *The Clerk. Mr. Pfluger votes no.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7595 Mrs. Harshbarger?
7596 *Mrs. Harshbarger. No.
7597 *The Clerk. Mrs. Harshbarger votes no.
7598 Mrs. Miller-Meeks?
7599 *Mrs. Miller-Meeks. No.
7600 *The Clerk. Ms. Miller Meeks votes no.
7601 Mrs. Cammack?
7602 *Mrs. Cammack. No.
7603 *The Clerk. Mrs. Cammack votes no.
7604 Mr. Obernolte?
7605 [No response.]
7606 *The Clerk. Mr. Pallone?
7607 *Mr. Pallone. Aye.
7608 *The Clerk. Mr. Pallone votes aye.
7609 Ms. Eshoo?
7610 *Ms. Eshoo. Aye.
7611 *The Clerk. Ms. Eshoo votes aye.
7612 Ms. DeGette?
7613 [No response.]
7614 *The Clerk. Ms. Schakowsky?
7615 [No response.]
7616 *The Clerk. Ms. Matsui?

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7617 *Ms. Matsui. Aye.

7618 *The Clerk. Ms. Matsui votes aye.

7619 Ms. Castor?

7620 *Ms. Castor. Aye.

7621 *The Clerk. Ms. Castor votes aye.

7622 Mr. Sarbanes?

7623 *Mr. Sarbanes. Aye.

7624 *The Clerk. Mr. Sarbanes votes aye.

7625 Mr. Tonko?

7626 *Mr. Tonko. Yes.

7627 *The Clerk. Mr. Tonko votes aye.

7628 Ms. Clarke?

7629 *Ms. Clarke. Yes.

7630 *The Clerk. Ms. Clarke votes aye.

7631 Mr. Cardenas?

7632 [No response.]

7633 *The Clerk. Mr. Ruiz?

7634 *Mr. Ruiz. Aye.

7635 *The Clerk. Mr. Ruiz votes aye.

7636 Mr. Peters?

7637 *Mr. Peters. Aye.

7638 *The Clerk. Mr. Peters votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7639 Mrs. Dingell?
7640 [No response.]
7641 *The Clerk. Mr. Veasey?
7642 *Mr. Veasey. Aye.
7643 *The Clerk. Mr. Veasey votes aye.
7644 Ms. Kuster?
7645 *Ms. Kuster. Aye.
7646 *The Clerk. Ms. Kuster votes aye.
7647 Ms. Kelly?
7648 *Ms. Kelly. Aye.
7649 *The Clerk. Ms. Kelly votes aye.
7650 Ms. Barragan?
7651 *Ms. Barragan. Aye.
7652 *The Clerk. Ms. Barragan votes aye.
7653 Ms. Blunt Rochester?
7654 *Ms. Blunt Rochester. Aye.
7655 *The Clerk. Ms. Blunt Rochester votes aye.
7656 Mr. Soto?
7657 *Mr. Soto. Aye.
7658 *The Clerk. Mr. Soto votes aye.
7659 Ms. Craig?
7660 *Ms. Craig. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7661 *The Clerk. Ms. Craig votes aye.
7662 Ms. Schrier?
7663 *Ms. Schrier. Aye.
7664 *The Clerk. Ms. Schrier votes aye.
7665 Mrs. Trahan?
7666 *Mrs. Trahan. Aye.
7667 *The Clerk. Mrs. Trahan votes aye.
7668 Mrs. Fletcher?
7669 *Mrs. Fletcher. Aye.
7670 *The Clerk. Mrs. Fletcher votes aye.
7671 Chair Rodgers?
7672 *The Chair. No.
7673 *The Clerk. Chair Rodgers votes no.
7674 *Mr. Latta. Are there members wishing to be recorded?
7675 How is the gentleman from Kentucky recorded?
7676 *Mr. Guthrie. I vote no.
7677 *The Clerk. Mr. Guthrie votes no.
7678 *Mr. Latta. The gentleman from Georgia?
7679 *The Clerk. Mr. Carter is not recorded.
7680 *Mr. Carter. I vote no.
7681 *The Clerk. Mr. Carter votes no.
7682 *Mr. Latta. How is the gentleman from Pennsylvania

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7683 recorded?

7684 *The Clerk. Mr. Joyce is not recorded.

7685 *Mr. Joyce. Joyce votes no.

7686 *The Clerk. Mr. Joyce votes no.

7687 *Mr. Latta. How is the gentleman from California

7688 recorded?

7689 *The Clerk. Mr. Cardenas is not recorded.

7690 *Mr. Cardenas. Aye.

7691 *The Clerk. Mr. Cardenas votes aye.

7692 *Mr. Latta. The gentlelady from Colorado?

7693 *Ms. DeGette. DeGette votes aye.

7694 *The Clerk. Ms. DeGette votes aye.

7695 *Mr. Latta. The gentlelady from Michigan, how is she

7696 recorded?

7697 *The Clerk. Mrs. Dingell is not recorded.

7698 *Mrs. Dingell. Votes aye.

7699 *The Clerk. Mrs. Dingell votes aye.

7700 *Mr. Latta. Are there any other members wishing to be

7701 recorded? Hearing none, the clerk will take the roll and

7702 report the result.

7703 *The Clerk. Chair Latta, on that vote we have 22 ayes

7704 and 27 nays.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7705 *Mr. Latta. Thank you very much. The amendment is not
7706 adopted. Are there other amendments? For what purpose does
7707 the gentlelady, the Ranking Member of the Subcommittee on
7708 Communication and Technology, wish to seek recognition?

7709 *Ms. Matsui. Mr. Chairman, I have an amendment at the
7710 deck.

7711 *Mr. Latta. The Clerk will report the amendment.

7712 *Ms. Matsui. It is labeled Fees 01.

7713 *Mr. Latta. Amendment to the amendment in the nature of
7714 a substitute to H.R. 3557 offered by Ms. Matsui.

7715 *Mr. Latta. Without objection the reading of the
7716 amendment is dispensed with, and the gentlelady is recognized
7717 for five minutes in support of the amendment.

7718 [The amendment to the amendment of Ms. Matsui follows:]

7719

7720 *****COMMITTEE INSERT*****

7721

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7722 *Ms. Matsui. Thank you very much, Mr. Chairman.

7723 I am offering this amendment today to make a small
7724 change that would provide resources to support more timely
7725 approval of broadband applications. My amendment will allow
7726 agencies to keep the fees they collect to help process more
7727 broadband applications. As a stance under this legislation
7728 these application fees will need to be returned to the
7729 Treasury. I think that is shortsighted.

7730 At a permitting hearing, both industry and public
7731 interest witnesses mentioned a lack of resources as a major
7732 barrier to timely approval of applications. Well, here is a
7733 way to help that won't require any new spending and there is
7734 plenty of precedent for what this amendment would do.
7735 Reinvesting the fees collected from an industry to help fund
7736 the needs of the industry we do it in transportation, in
7737 telecom and healthcare. To me broadband permitting would be
7738 no different. To the Treasury, these fees would be a drop in
7739 the bucket, but for a cash strapped federal permitting office
7740 it could make a huge difference.

7741 So I hope members of this Committee will consider this
7742 amendment, and I yield back the balance of my time.

7743 *Mr. Latta. Thank you very much. The gentlelady yields

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7744 back. And for what purpose does the gentleman from Alabama
7745 seek recognition?

7746 *Mr. Palmer. I move to strike the last word.

7747 *Mr. Latta. The gentleman is recognized for five
7748 minutes to strike the last word.

7749 *Mr. Palmer. I speak in opposition to the amendment,
7750 Mr. Chairman. The federal government receives funds from a
7751 variety of sources including tax revenues, fees, fines,
7752 penalties and settlements, and these collections come from a
7753 wide variety of sources. Under the Constitution, we as
7754 members of Congress make the laws and provide the money to
7755 implement these appropriation decisions and these laws. The
7756 Executive branch, as we all know, carries out these laws.

7757 Under this system, Congress has the final word as to how
7758 much money can be spent by a given agency or a given program,
7759 so it is ultimately up to the Congress to determine how much
7760 the Executive branch can span and how much the agencies can
7761 retain. And while the majority of federal revenues come from
7762 taxes these agencies collect, as I said, billions of dollars
7763 in fees, fines, penalties and settlements thus providing them
7764 with unappropriated funds.

7765 Allowing the federal agencies to retain these

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7766 unappropriated funds undermines Congress's ability to
7767 exercise oversight over federal agencies through the power of
7768 the purse. It can also add to the unobligated fund balance
7769 being held by federal agencies. From 2017 to 2020, yearend
7770 unobligated balances ranged, and this may catch some of you
7771 by surprise, from almost 958 billion to an estimated 1.3
7772 trillion according to the Office of Management and Budget,
7773 and federal agencies carried over an estimated 1 trillion in
7774 unobligated balances 2020 to 2021.

7775 I just think at a time when the federal debt is at an
7776 unsustainable level it is incumbent on Congress to not only
7777 get spending under control but to also exercise appropriation
7778 authority over all federal revenues including nontax
7779 collections, and that includes all the fines, fees, penalties
7780 and settlements.

7781 Article I, Section 9, Clause 7 of the Constitution
7782 imposes requirement on Congress to maintain the
7783 constitutional power of the purse by appropriating these
7784 funds and defining their use by agencies. We should not
7785 relinquish this constitutional power of the purse, and
7786 instead we should fulfill our constitutional responsibility
7787 by requiring that these fees be subject to the appropriation

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7788 process.

7789 So I urge my colleagues to vote no and to protect the
7790 power of the purse of the United States Congress, and I yield
7791 back.

7792 *Mr. Latta. The gentleman yields back. Is there
7793 further discussion on the amendment?

7794 Hearing none, a roll call vote has been requested, and
7795 the Clerk will call the role.

7796 *The Clerk. Mr. Burgess?

7797 *Mr. Burgess. Burgess votes no.

7798 *The Clerk. Mr. Burgess votes no.

7799 Mr. Latta?

7800 *Mr. Latta. No.

7801 *The Clerk. Mr. Latta votes no.

7802 Mr. Guthrie?

7803 [No response.]

7804 *The Clerk. Mr. Griffith?

7805 *Mr. Griffith. No.

7806 *The Clerk. Mr. Griffith votes no.

7807 Mr. Bilirakis?

7808 [No response.]

7809 *The Clerk. Mr. Johnson?

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7810 *Mr. Johnson. No.

7811 *The Clerk. Mr. Johnson votes no.

7812 Mr. Bucshon?

7813 *Mr. Bucshon. No.

7814 *The Clerk. Mr. Bucshon votes no.

7815 Mr. Hudson?

7816 [No response.]

7817 *The Clerk. Mr. Walberg?

7818 *Mr. Walberg. No.

7819 *The Clerk. Mr. Walberg votes no.

7820 Mr. Carter?

7821 [No response.]

7822 *Mr. Latta. Mr. Duncan?

7823 *Mr. Duncan. Duncan no.

7824 *The Clerk. Mr. Duncan votes no.

7825 Mr. Palmer.

7826 *Mr. Palmer. No.

7827 *The Clerk. Mr. Palmer votes no.

7828 Mr. Dunn?

7829 *Mr. Dunn. No.

7830 *The Clerk. Mr. Dunn votes no.

7831 Mr. Curtis?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

7832 *Mr. Curtis. No.
7833 *The Clerk. Mr. Curtis votes no.
7834 Mrs. Lesko?
7835 *Mrs. Lesko. No.
7836 *The Clerk. Mrs. Lesko votes no.
7837 Mr. Pence?
7838 *Mr. Pence. No.
7839 *The Clerk. Mr. Pence votes no.
7840 Mr. Krenshaw?
7841 *Mr. Krenshaw. No.
7842 *The Clerk. Mr. Krenshaw votes no.
7843 Mr. Joyce?
7844 *Mr. Joyce. No.
7845 *The Clerk. Mr. Joyce votes no.
7846 Mr. Armstrong?
7847 *Mr. Armstrong. No.
7848 *The Clerk. Mr. Armstrong votes no.
7849 Mr. Weber?
7850 *Mr. Weber. Negative.
7851 *The Clerk. Mr. Weber votes no.
7852 Mr. Allen?
7853 *Mr. Allen. No.

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7854 *The Clerk. Mr. Allen votes no.
7855 Mr. Balderson?
7856 *Mr. Balderson. No.
7857 *The Clerk. Mr. Balderson votes no.
7858 Mr. Fulcher?
7859 *Mr. Fulcher. No.
7860 *The Clerk. Mr. Fulcher votes no.
7861 Mr. Pfluger?
7862 *Mr. Pfluger. No.
7863 *The Clerk. Mr. Pfluger votes no.
7864 Mrs. Harshbarger?
7865 *Mrs. Harshbarger. No.
7866 *The Clerk. Mrs. Harshbarger no.
7867 Mrs. Miller-Meeks?
7868 *Mrs. Miller-Meeks. No.
7869 *The Clerk. Mrs. Miller-Meeks votes no.
7870 Mrs. Cammack?
7871 *Mrs. Cammack. No.
7872 *The Clerk. Mrs. Cammack votes no.
7873 Mr. Obernolte?
7874 [No response.]
7875 *The Clerk. Mr. Pallone?

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7876 *Mr. Pallone. Aye.

7877 *The Clerk. Mr. Pallone votes aye.

7878 Ms. Eshoo?

7879 *Ms. Eshoo. Aye.

7880 *The Clerk. Ms. Eshoo votes aye.

7881 Ms. DeGette?

7882 *Ms. DeGette. Aye.

7883 *The Clerk. Ms. DeGette votes aye.

7884 Ms. Schakowsky?

7885 *Ms. Schakowsky. Aye.

7886 *The Clerk. Ms. Schakowsky votes aye.

7887 Ms. Matsui?

7888 *Ms. Matsui. Aye.

7889 *The Clerk. Ms. Matsui votes aye.

7890 Ms. Castor?

7891 *Ms. Castor. Aye.

7892 *The Clerk. Ms. Castor votes aye.

7893 Mr. Sarbanes?

7894 *Mr. Sarbanes. Aye.

7895 *The Clerk. Mr. Sarbanes votes aye.

7896 Mr. Tonko?

7897 *Mr. Tonko. Aye.

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7898 *The Clerk. Mr. Tonko votes aye.
7899 Ms. Clarke?
7900 *Ms. Clarke. Aye.
7901 *The Clerk. Ms. Clarke votes aye.
7902 Mr. Cardenas?
7903 *Mr. Cardenas. Aye.
7904 *The Clerk. Mr. Cardenas votes aye.
7905 Mr. Ruiz?
7906 *Mr. Ruiz. Aye.
7907 *The Clerk. Mr. Ruiz votes aye.
7908 Mr. Peters?
7909 *Mr. Peters. Aye.
7910 *The Clerk. Mr. Peters votes aye.
7911 Mrs. Dingell?
7912 *Mrs. Dingell. Aye.
7913 *The Clerk. Mrs. Dingell votes aye.
7914 Mr. Veasey?
7915 *Mr. Veasey. Aye.
7916 *The Clerk. Mr. Veasey votes aye.
7917 Ms. Kuster?
7918 *Ms. Kuster. Aye.
7919 *The Clerk. Ms. Kuster votes aye.

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7920 Ms. Kelly?

7921 *Ms. Kelly. Yea.

7922 *The Clerk. Ms. Kelly votes aye.

7923 Ms. Barragan?

7924 *Ms. Barragan. Aye.

7925 *The Clerk. Ms. Barragan votes aye.

7926 Ms. Rochester?

7927 *Ms. Rochester. Aye.

7928 *The Clerk. Ms. Rochester votes aye.

7929 Mr. Soto?

7930 *Mr. Soto. Aye.

7931 *The Clerk. Mr. Soto votes aye.

7932 Ms. Craig?

7933 *Ms. Craig. Aye.

7934 *The Clerk. Ms. Craig votes aye.

7935 Ms. Schrier?

7936 *Ms. Schrier. Aye.

7937 *The Clerk. Mr. Schrier votes aye.

7938 Mrs. Trahan?

7939 *Mrs. Trahan. Aye.

7940 *The Clerk. Mrs. Trahan votes aye.

7941 Mrs. Fletcher?

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7942 *Mrs. Fletcher. Aye.

7943 *The Clerk. Mrs. Fletcher votes aye.

7944 Chair Rodgers?

7945 *The Chair. No.

7946 *The Clerk. Chair Rodgers votes no.

7947 *Mr. Latta. Is the gentleman from Kentucky recorded?

7948 *Mr. Guthrie. I vote no.

7949 *The Clerk. Mr. Guthrie votes no.

7950 *Mr. Latta. The gentleman from Georgia, how is he

7951 recorded?

7952 *The Clerk. Mr. Carter is not recorded.

7953 *Mr. Latta. Are there other members wishing to record

7954 their vote.

7955 *The Clerk. Mr. Carter votes no.

7956 *Mr. Latta. Are there any other members wishing to

7957 record their vote? Hearing none, the Clerk the report the

7958 result.

7959 *The Clerk. Chair Latta, on that vote we have 23 ayes

7960 and 26 nays.

7961 *Mr. Latta. The amendment is not agreed to.

7962 Are there any further amendments? For what purpose does

7963 the gentleman from California seek recognition?

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7964 *Mr. Ruiz. Mr. Chair, I have an amendment at the desk.

7965 It's labeled Presumption_01.

7966 *Mr. Latta. The Clerk will report the amendment.

7967 *The Clerk. Amendment to the amendment in the nature of
7968 a substitute to H.R. 3557 offered by Mr. Ruiz.

7969 *Mr. Latta. Without objection the reading of the
7970 amendment is dispensed with, and the gentleman is recognized
7971 for five minutes in support of the amendment.

7972 [The amendment Presumptin_01 by Mr. Ruiz follows:]

7973

7974 *****COMMITTEE INSERT*****

7975

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7976 *Mr. Ruiz. My amendment strikes the Section 302 of H.R.
7977 3557, Rep Carter's American Broadband Deployment Act of 2023.
7978 H.R. 3557 fast-tracks broadband expansion by stomping all
7979 over the sovereignty rights of tribes. In Section 302 of
7980 H.R. 3557, it is presumed that if a tribe received a new
7981 tower submission packet or colocation request and did not
7982 respond to within 45 days, then the tribe is disclaiming its
7983 interest in the project on or across their land.

7984 In other words, broadband companies can inform a
7985 sovereign tribal nation that they want to build a tower on
7986 their tribal land, and if the tribe doesn't respond within 45
7987 days the company can go in and build on their land without
7988 consent. That is simply preposterous. This is, however,
7989 historically consistent with how tribes have been wrongly
7990 treated.

7991 This is wrong in so many levels. A 45-day window is not
7992 sufficient to allow anyone to thought fully consider whether
7993 and how something being built on or across their land may
7994 disrupt sites of historic, religious or cultural
7995 significance. This creates a path to avoid meaningful
7996 consultation with tribes, and this violates the very notion
7997 that tribes are sovereign nations.

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7998 As members of Congress we have a responsibility to
7999 consider tribal matters just as we would other nation-to-
8000 nation issues. It is in our Constitution.

8001 This duty stems from a number of different statutes,
8002 treaties, and our court decisions handed down for more than
8003 200 years. By making a presumption of approval based on a
8004 lack of response, this bill is tramping on another nation's
8005 right to decide what happens on their own land and in areas
8006 that may hold significant cultural significance.

8007 This is unacceptable, disrespectful, and a dereliction
8008 of duty towards tribal nations. We must uphold the
8009 sovereignty of tribal nations.

8010 The expansion of broadband service must be in
8011 partnership with tribes on their land and with meaningful
8012 consultation. We should work together with the tribes on
8013 getting them access to the funding that expands broadband on
8014 tribal lands through historic investments in the
8015 Infrastructure Investments and Jobs Act and the Consolidated
8016 Appropriations Act of 2021 and my Tribal Broadband Expansion
8017 Act.

8018 We must remain vigilant to ensure that tribal voices are
8019 a part of the discussion and not just snuffed out by making

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8020 these kinds of presumptions that will only cause friction.

8021 It is a check the box. They did not respond. We can go in

8022 and do whatever we want on tribal land, on their land.

8023 So I urge my colleagues to reject the underlying bill

8024 and to support my amendment.

8025 I yield some time to Tony Cardenas.

8026 *Mr. Cardenas. Thank you very much for yielding.

8027 Ladies and gentlemen, we are talking about sovereign

8028 nations. One of the realities of sovereign nations

8029 throughout our country is that most sovereign nations do not

8030 have enough resources to be self-reliant and self-sufficient.

8031 They do not have enough resources to have the technical

8032 expertise or legal expertise to respond in time to a 45-day

8033 requirement.

8034 It is ridiculous that anybody would have -- it is

8035 ridiculous to have tribes, sovereign nations, with the

8036 difficulties that they have, without the resources to have

8037 reliant and sufficient expertise to have the tightest time

8038 frame of all the other local governments that are mentioned

8039 in the bill.

8040 For example, we are talking about 60 days, 90 days for

8041 local governments and other entities, and yet here all of a

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8042 sudden for some reason tribal nations, sovereign nations, are
8043 not afforded even that much respect.

8044 And actually, it is just unbelievable that anybody would
8045 believe that it is okay for a private company to be afforded
8046 the authority and the ability to traverse tribal lands,
8047 sovereign lands, just because they want to put up a physical
8048 facility.

8049 I yield back.

8050 *Mr. Latta. The gentleman yields back.

8051 *Mr. Ruiz. And I yield back, too.

8052 *Mr. Latta. And the gentleman yields back his time.

8053 Is there discussion, further discussion?

8054 For what purpose does the gentleman from Utah seek
8055 recognition?

8056 *Mr. Curtis. I move to strike the last word.

8057 *Mr. Latta. The gentleman is recognized for five
8058 minutes to strike the last word.

8059 *Mr. Curtis. Thank you.

8060 I would like to clarify exactly Mr. Carter's legislation
8061 and address it in regard to the concerns of the amendment.

8062 Mr. Carter's legislation would ensure that tribal
8063 nations have adequate opportunity to claim an interest in

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8064 prospective broadband deployment applications that may affect
8065 tribal or historic properties.

8066 In fact, the Republican legislation would ensure there
8067 are multiple opportunities for tribal nations and Native
8068 Hawaiian organizations to ensure any broadband deployment
8069 adequately protects their historic properties.

8070 Section 106 of the National Historic Preservation Act
8071 requires the FCC to notify Indian tribes and Native Hawaiian
8072 organizations when a proposed communications tower to deploy
8073 or modify communications facility could impact them.

8074 The tower construction notification system, or TCNS, is
8075 used to share information about the location and nature of
8076 the proposed tower with Indian tribes and Native Hawaiian
8077 organizations who can then directly communicate with the
8078 companies.

8079 However, sometimes tribal nations do not claim an
8080 interest in an application, even when they are notified by
8081 TCNS that a proposed tower could be built near an historic
8082 site.

8083 The Carter legislation makes important clarifications to
8084 ensure that proposed communication towers are appropriately
8085 notified to Indian tribes and that they have all the

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8086 information they need to claim an interest in an application.

8087 This amendment also codifies important steps to ensure
8088 broadband providers follow up after a 45-day period if they
8089 do not hear back from an Indian tribe or only after multiple
8090 attempts.

8091 Nothing in this amendment would regulate the fees that
8092 Indian tribes could charge to review a proposed tower.
8093 Nothing in this amendment prohibits an Indian tribe from
8094 charging an up-front fee for receiving a proposed tower.

8095 This amendment simply clarifies the tribal notification
8096 process so that both broadband providers and tribal nations
8097 have clear rules of the road.

8098 I urge my colleagues to reject the amendment and support
8099 the American Broadband Deployment Act.

8100 And with that, Mr. Chairman, I yield my time.

8101 *Mr. Latta. Thank you.

8102 The gentleman yields back.

8103 Is there further discussion on the amendment?

8104 [No response.]

8105 *Mr. Latta. Hearing none, a roll call has been
8106 requested. The Clerk will call the roll please.

8107 *The Clerk. Mr. Burgess?

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8108 *Mr. Burgess. No.

8109 *The Clerk. Mr. Burgess votes no.

8110 *Mr. Latta?

8111 *Mr. Latta. No.

8112 *The Clerk. Mr. Latta votes no.

8113 Mr. Guthrie?

8114 *Mr. Guthrie. No.

8115 *The Clerk. Mr. Guthrie votes no.

8116 Mr. Griffith?

8117 *Mr. Griffith. No.

8118 *The Clerk. Mr. Griffith votes no.

8119 *Mr. Bilirakis?

8120 *Mr. Bilirakis. No.

8121 *The Clerk. Mr. Bilirakis votes no.

8122 Mr. Johnson?

8123 *Mr. Johnson. No.

8124 *The Clerk. Mr. Johnson votes no.

8125 Mr. Bucshon?

8126 [No response.]

8127 *The Clerk. Mr. Hudson?

8128 [No response.]

8129 *The Clerk. Mr. Walberg?

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8130 *Mr. Walberg. No.

8131 *The Clerk. Mr. Walberg votes no.

8132 Mr. Carter?

8133 *Mr. Carter. No.

8134 *The Clerk. Mr. Carter votes no.

8135 Mr. Duncan?

8136 *Mr. Duncan. No.

8137 *The Clerk. Mr. Duncan votes no.

8138 Mr. Palmer?

8139 *Mr. Palmer. No.

8140 *The Clerk. Mr. Palmer votes no.

8141 Mr. Dunn?

8142 *Mr. Dunn. No.

8143 *The Clerk. Mr. Dunn votes no.

8144 Mr. Curtis?

8145 *Mr. Curtis. No.

8146 *The Clerk. Mr. Curtis votes no.

8147 Mrs. Lesko?

8148 *Mrs. Lesko. No.

8149 *The Clerk. Mrs. Lesko votes no.

8150 Mr. Pence?

8151 *Mr. Pence. No.

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8152 *The Clerk. Mr. Pence votes no.
8153 Mr. Crenshaw?
8154 [No response.]
8155 *The Clerk. Mr. Joyce?
8156 *Mr. Joyce. No.
8157 *The Clerk. Mr. Joyce votes no.
8158 Mr. Armstrong?
8159 *Mr. Armstrong. No.
8160 *The Clerk. Mr. Armstrong votes no.
8161 Mr. Weber?
8162 *Mr. Weber. No.
8163 *The Clerk. Mr. Weber votes no.
8164 Mr. Allen?
8165 *Mr. Allen. No.
8166 *The Clerk. Mr. Allen votes no.
8167 Mr. Balderson?
8168 *Mr. Balderson. No.
8169 *The Clerk. Mr. Balderson votes no.
8170 Mr. Fulcher?
8171 *Mr. Fulcher. No.
8172 *The Clerk. Mr. Fulcher votes no.
8173 Mr. Pfluger?

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8174 *Mr. Pfluger. No.

8175 *The Clerk. Mr. Pfluger votes no.

8176 Mrs. Harshbarger?

8177 *Mrs. Harshbarger. No.

8178 *The Clerk. Mrs. Harshbarger votes no.

8179 Mrs. Miller-Meeks?

8180 *Mrs. Miller-Meeks. No.

8181 *The Clerk. Mrs. Miller-Meeks votes no.

8182 Mrs. Cammack?

8183 *Mrs. Cammack. No.

8184 *The Clerk. Mrs. Cammack votes no.

8185 Mr. Obernolte?

8186 [No response.]

8187 *The Clerk. Mr. Pallone?

8188 *Mr. Pallone. Aye.

8189 *The Clerk. Mr. Pallone votes aye.

8190 Ms. Eshoo?

8191 *Ms. Eshoo. Aye.

8192 *The Clerk. Ms. Eshoo votes aye.

8193 Ms. DeGette?

8194 *Ms. DeGette. Aye.

8195 *The Clerk. Ms. DeGette votes aye.

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8196 Ms. Schakowsky?
8197 *Ms. Schakowsky. Aye.
8198 *The Clerk. Ms. Schakowsky votes aye.
8199 Ms. Matsui?
8200 *Ms. Matsui. Aye.
8201 *The Clerk. Ms. Matsui votes aye.
8202 Ms. Castor?
8203 *Ms. Castor. Aye.
8204 *The Clerk. Ms. Castor votes aye.
8205 Mr. Sarbanes?
8206 *Mr. Sarbanes. Aye.
8207 *The Clerk. Mr. Sarbanes votes aye.
8208 Mr. Tonko?
8209 *Mr. Tonko. Aye.
8210 *The Clerk. Mr. Tonko votes aye.
8211 Ms. Clarke?
8212 *Ms. Clarke. Aye.
8213 *The Clerk. Ms. Clarke votes aye.
8214 Mr. Cardenas?
8215 *Mr. Cardenas. Aye.
8216 *The Clerk. Mr. Cardenas votes aye.
8217 Mr. Ruiz?

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8218 *Mr. Ruiz. Aye.
8219 *The Clerk. Mr. Ruiz votes aye.
8220 Mr. Peters?
8221 *Mr. Peters. Aye.
8222 *The Clerk. Mr. Peters votes aye.
8223 Mrs. Dingell?
8224 *Mrs. Dingell. Aye.
8225 *The Clerk. Mrs. Dingell votes aye.
8226 Mr. Veasey?
8227 *Mr. Veasey. Aye.
8228 *The Clerk. Mr. Veasey votes aye.
8229 Ms. Kuster?
8230 *Ms. Kuster. Aye.
8231 *The Clerk. Ms. Kuster votes aye.
8232 Ms. Kelly?
8233 *Ms. Kelly. Aye.
8234 *The Clerk. Ms. Kelly votes aye.
8235 Ms. Barragan?
8236 *Ms. Barragan. Aye.
8237 *The Clerk. Ms. Barragan votes aye.
8238 Ms. Blunt Rochester?
8239 *Ms. Blunt Rochester. Aye.

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8240 *The Clerk. Ms. Blunt Rochester votes aye.
8241 Mr. Soto?
8242 *Mr. Soto. Aye.
8243 *The Clerk. Mr. Soto votes aye.
8244 Ms. Craig?
8245 *Ms. Craig. Aye.
8246 *The Clerk. Ms. Craig votes aye.
8247 Ms. Schrier?
8248 *Ms. Schrier. Aye.
8249 *The Clerk. Ms. Schrier votes aye.
8250 Mrs. Trahan?
8251 *Mrs. Trahan. Aye.
8252 *The Clerk. Mrs. Trahan votes aye.
8253 Mrs. Fletcher?
8254 *Mrs. Fletcher. Aye.
8255 *The Clerk. Mrs. Fletcher votes aye.
8256 Chair Rodgers?
8257 *The Chair. No.
8258 *The Clerk. Chair Rodgers votes no.
8259 *Mr. Latta. Are there other members wishing to record
8260 their vote?
8261 Has the gentleman from Indiana been recorded?

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8262 *The Clerk. Mr. Bucshon is not recorded.

8263 *Mr. Bucshon. No.

8264 *The Clerk. Mr. Bucshon votes no.

8265 *Mr. Latta. Are there any other members?

8266 [No response.]

8267 *Mr. Latta. Hearing none, the Clerk will record the
8268 result of the roll call.

8269 *The Clerk. Chair Latta, on that vote we have 23 ayes
8270 and 26 noes.

8271 *Mr. Latta. The Amendment is not agreed to.

8272 Are there further amendments?

8273 [No response.]

8274 *Mr. Latta. At this time the vote will occur on the ANS
8275 as amended.

8276 All those in favor will signify by saying aye.

8277 All opposed, nay.

8278 The ayes have it and the ANS is agreed to.

8279 At this time the question now occurs on approving H.R.
8280 3557, as amended, and a roll call vote has been requested.

8281 The Clerk will call the roll.

8282 *The Clerk. Mr. Burgess?

8283 *Mr. Burgess. Votes aye.

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8284 *The Clerk. Mr. Burgess votes aye.
8285 *Mr. Latta?
8286 *Mr. Latta. Aye.
8287 *The Clerk. Mr. Latta votes aye.
8288 Mr. Guthrie?
8289 *Mr. Guthrie. Aye.
8290 *The Clerk. Mr. Guthrie votes aye.
8291 Mr. Griffith?
8292 *Mr. Griffith. Aye.
8293 *The Clerk. Mr. Griffith votes aye.
8294 *Mr. Bilirakis?
8295 *Mr. Bilirakis. Aye.
8296 *The Clerk. Mr. Bilirakis votes aye.
8297 Mr. Johnson?
8298 *Mr. Johnson. Aye.
8299 *The Clerk. Mr. Johnson votes aye.
8300 Mr. Bucshon?
8301 *Mr. Bucshon. Aye.
8302 *The Clerk. Mr. Bucshon votes aye.
8303 Mr. Hudson?
8304 [No response.]
8305 *The Clerk. Mr. Walberg?

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8306 [No response.]
8307 *The Clerk. Mr. Carter?
8308 *Mr. Carter. Aye.
8309 *Mr. Walberg. Aye.
8310 *The Clerk. Mr. Walberg votes aye.
8311 Mr. Carter?
8312 *Mr. Carter. Aye.
8313 *The Clerk. Mr. Carter votes aye.
8314 Mr. Duncan?
8315 *Mr. Duncan. Aye.
8316 *The Clerk. Mr. Duncan votes aye.
8317 Mr. Palmer?
8318 *Mr. Palmer. Aye.
8319 *The Clerk. Mr. Palmer votes aye.
8320 Mr. Dunn?
8321 *Mr. Dunn. Aye.
8322 *The Clerk. Mr. Dunn votes aye.
8323 Mr. Curtis?
8324 *Mr. Curtis. Aye.
8325 *The Clerk. Mr. Curtis votes aye.
8326 Mrs. Lesko?
8327 *Mrs. Lesko. Aye.

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8328 *The Clerk. Mrs. Lesko votes aye.
8329 Mr. Pence?
8330 *Mr. Pence. Aye.
8331 *The Clerk. Mr. Pence votes aye.
8332 Mr. Crenshaw?
8333 *Mr. Crenshaw. Aye.
8334 *The Clerk. Mr. Crenshaw votes aye.
8335 Mr. Joyce?
8336 *Mr. Joyce. Aye.
8337 *The Clerk. Mr. Joyce votes aye.
8338 Mr. Armstrong?
8339 *Mr. Armstrong. Aye.
8340 *The Clerk. Mr. Armstrong votes aye.
8341 Mr. Weber?
8342 *Mr. Weber. Yes.
8343 *The Clerk. Mr. Weber votes aye.
8344 Mr. Allen?
8345 *Mr. Allen. Aye.
8346 *The Clerk. Mr. Allen votes aye.
8347 Mr. Balderson?
8348 *Mr. Balderson. Yes.
8349 *The Clerk. Mr. Balderson votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

8350 Mr. Fulcher?

8351 *Mr. Fulcher. Aye.

8352 *The Clerk. Mr. Fulcher votes aye.

8353 Mr. Pfluger?

8354 *Mr. Pfluger. Aye.

8355 *The Clerk. Mr. Pfluger votes aye.

8356 Mrs. Harshbarger?

8357 *Mrs. Harshbarger. Aye.

8358 *The Clerk. Mrs. Harshbarger votes aye.

8359 Mrs. Miller-Meeks?

8360 *Mrs. Miller-Meeks. Aye.

8361 *The Clerk. Mrs. Miller-Meeks votes aye.

8362 Mrs. Cammack?

8363 *Mrs. Cammack. Aye.

8364 *The Clerk. Mrs. Cammack votes aye.

8365 Mr. Obernolte?

8366 [No response.]

8367 *The Clerk. Mr. Pallone?

8368 *Mr. Pallone. No.

8369 *The Clerk. Mr. Pallone votes no.

8370 Ms. Eshoo?

8371 *Ms. Eshoo. No.

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8372 *The Clerk. Ms. Eshoo votes no.
8373 Ms. DeGette?
8374 [No response.]
8375 *The Clerk. Ms. Schakowsky?
8376 *Ms. Schakowsky. No.
8377 *The Clerk. Ms. Schakowsky votes no.
8378 Ms. Matsui?
8379 *Ms. Matsui. No.
8380 *The Clerk. Ms. Matsui votes no.
8381 Ms. Castor?
8382 *Ms. Castor. No.
8383 *The Clerk. Ms. Castor votes no.
8384 Mr. Sarbanes?
8385 *Mr. Sarbanes. No.
8386 *The Clerk. Mr. Sarbanes votes no.
8387 Mr. Tonko?
8388 *Mr. Tonko. No.
8389 *The Clerk. Mr. Tonko votes no.
8390 Ms. Clarke?
8391 *Ms. Clarke. No.
8392 *The Clerk. Ms. Clarke votes no.
8393 Mr. Cardenas?

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8394 *Mr. Cardenas. No.
8395 *The Clerk. Mr. Cardenas votes no.
8396 Mr. Ruiz?
8397 *Mr. Ruiz. No.
8398 *The Clerk. Mr. Ruiz votes no.
8399 Mr. Peters?
8400 *Mr. Peters. No.
8401 *The Clerk. Mr. Peters votes no.
8402 Mrs. Dingell?
8403 *Mrs. Dingell. No.
8404 *The Clerk. Mrs. Dingell votes no.
8405 Mr. Veasey?
8406 *Mr. Veasey. No.
8407 *The Clerk. Mr. Veasey votes no.
8408 Ms. Kuster?
8409 *Ms. Kuster. No.
8410 *The Clerk. Ms. Kuster votes no.
8411 Ms. Kelly?
8412 *Ms. Kelly. No.
8413 *The Clerk. Ms. Kelly votes no.
8414 Ms. Barragan?
8415 *Ms. Barragan. No.

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8416 *The Clerk. Ms. Barragan votes no.
8417 Ms. Blunt Rochester?
8418 *Ms. Blunt Rochester. No.
8419 *The Clerk. Ms. Blunt Rochester votes no.
8420 Mr. Soto?
8421 *Mr. Soto. No.
8422 *The Clerk. Mr. Soto votes no.
8423 Ms. Craig?
8424 *Ms. Craig. No.
8425 *The Clerk. Ms. Craig votes no.
8426 Ms. Schrier?
8427 *Ms. Schrier. No.
8428 *The Clerk. Ms. Schrier votes no.
8429 Mrs. Trahan?
8430 *Mrs. Trahan. No.
8431 *The Clerk. Mrs. Trahan votes no.
8432 Mrs. Fletcher?
8433 *Mrs. Fletcher. No.
8434 *The Clerk. Mrs. Fletcher votes no.
8435 Chair Rodgers?
8436 *The Chair. Aye.
8437 *The Clerk. Chair Rodgers votes aye.

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8438 *Mr. Latta. Are there any members wishing to record
8439 their vote?

8440 How is the gentlelady from Colorado recorded?

8441 *The Clerk. Ms. DeGette is not recorded.

8442 *Ms. DeGette. No.

8443 *The Clerk. Ms. DeGette votes no.

8444 *Mr. Latta. Are there any other members wishing to
8445 record their vote?

8446 [No response.]

8447 *Mr. Latta. Hearing none, the Clerk will report the
8448 roll.

8449 *The Clerk. Chair Latta, on that vote we have 27 ayes
8450 and 23 noes.

8451 *Mr. Latta. The ayes have it, and the bill is adopted.
8452 The chair calls up H.R. 1160 and asks the Clerk to
8453 report.

8454 *The Clerk. H.R. 1160, a bill to direct the Secretary
8455 of Energy to promulgate regulations to facilitate the timely
8456 submission of notifications regarding --

8457 *Mr. Latta. Without objection, the first reading of the
8458 bill is dispensed with, and the bill is open for amendments
8459 at any time at any point.

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8460 So ordered.

8461 [The bill follows:]

8462

8463 *****COMMITTEE INSERT*****

8464

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8465 *Mr. Latta. Does anyone seek to be recognized on the
8466 bill?

8467 *Mr. Walberg. Mr. Chairman, I have an amendment at the
8468 desk.

8469 *Mr. Latta. The gentleman seeks recognition from
8470 Michigan. What is the amendment?

8471 *Mr. Walberg. FC01.

8472 *Mr. Latta. The Clerk will report the amendment.

8473 *The Clerk. Amendment to H.R. 1160, offered by Mr.
8474 Walberg. Beginning on page 2, Line 26, strike "and potential
8475 cybersecurity'" --

8476 *Mr. Latta. Without objection, the reading of the
8477 amendment is dispensed with, and the gentleman is recognized
8478 for five minutes in support of his amendment.

8479 *Mr. Walberg. Thank you, Mr. Chair.

8480 The Critical Electric Infrastructure Cybersecurity
8481 Incident Reporting Act amends the Federal Power Act to
8482 establish the Department of Energy as the designated agency
8483 to receive notification regarding cybersecurity incidents
8484 with respect to critical electric infrastructure.

8485 This bipartisan legislation, which I introduced with
8486 Representative Schrier, is a critical step in improving our

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8487 ability to respond to cyber threats and ensure that we have
8488 the necessary information to prevent future attacks.

8489 DOE is the sector-specific agency and the experts when
8490 it comes to energy cybersecurity. Cyber attacks on energy
8491 infrastructure reached record highs last year, and we need to
8492 establish better communication and coordination between the
8493 department, industry, and the public.

8494 After receiving feedback from stakeholders, the
8495 amendment makes helpful changes to align existing reporting
8496 requirements and extend the reporting time.

8497 It also provides important protections for entities who
8498 report these incidents, ensuring that they are not unfairly
8499 punished or held liable for their efforts to protect the
8500 grid.

8501 The amendment allows more flexibility going forward,
8502 requiring the Secretary of Energy to establish rulemaking
8503 process with opportunity for public comment and feedback
8504 before issuing any final rule.

8505 These changes will allay some concerns from industry
8506 about duplication and keep the process open, while still
8507 satisfying the serious need to bolster our energy sector
8508 cybersecurity.

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8509 I want to thank Chair Rodgers, Ranking Member Pallone,
8510 and Representative Schrier for their help in making these
8511 changes and working diligently with stakeholders to improve
8512 the legislation.

8513 I urge my colleagues to support the amendment and the
8514 underlying bill, and I yield back.

8515 [The Amendment No. FC01 by Mr. Walberg follows:]

8516

8517 *****COMMITTEE INSERT*****

8518

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8519 *Mr. Latta. Is there any further discussion on the
8520 amendment?

8521 The gentlelady from Washington seeks recognition. What
8522 does the gentlelady seek recognition for?

8523 *Ms. Schrier. Mr. Chair, I move to strike the last
8524 word.

8525 *Mr. Latta. The gentlelady is recognized for five
8526 minutes to strike the last word.

8527 *Ms. Schrier. Thank you, Mr. Chairman.

8528 Thank you, Mr. Walberg, for working with me and my team
8529 together on this, and thank you to the chairwoman and ranking
8530 member for including this.

8531 You know, when it comes to our national security,
8532 cybersecurity is a major concern, as my colleague, Mr.
8533 Walberg, just pointed out. And broadly, the Department of
8534 Homeland Security manages these threats and is generally the
8535 point agency.

8536 But energy systems, power plants, electric grids, these
8537 are high risk, and they are just different as targets, as we
8538 have already seen examples of in our country. So when it
8539 comes to our critical electric infrastructure, we just need
8540 the Department of Energy to be involved and to play a key

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8541 role.

8542 So I am just so pleased that much of the feedback that
8543 we received by industry was thoughtfully considered and
8544 addressed in this amended text, including providing for an
8545 extended public comment period.

8546 So I encourage engagement from power companies,
8547 utilities throughout this public comment period to make sure
8548 that the rulemaking is right, and I am committed along with
8549 my colleague, Mr. Walberg, and the other members of this
8550 committee to ensure that we can properly protect
8551 cybersecurity of our power system and ensure that the
8552 Department of Energy has an appropriate place at the table
8553 for such important discussions.

8554 With that I yield back and encourage my colleagues to
8555 vote yes.

8556 *Mr. Latta. Thank you.

8557 The gentlelady yields back.

8558 Does the gentleman from Utah seek recognition?

8559 *Mr. Curtis. Yes. I would like to speak to the base
8560 bill. May I go ahead now?

8561 *Mr. Latta. Yes, the gentleman is recognized.

8562 *Mr. Curtis. Thank you.

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8563 I would like to move to strike the last word.

8564 As a former board member of the American Public Power
8565 Association, on their National Policy Board, and as the
8566 president of Municipal Power for eight years, I of course
8567 have noted the opposition from APPA and would just like to
8568 speak for a moment to that.

8569 I understand firsthand the limited resources of these
8570 municipal power organizations, sometimes very, very small
8571 cities, very small staffs, and would like to just appeal to
8572 Ms. Schrier and Mr. Walberg to continue to work with APPA as
8573 this moves to the floor and see if we can get resolution on
8574 some of their concerns.

8575 I am happy to play a role in that if possible with my
8576 relationship with them, and at the same time I want to point
8577 out to my friends at APPA that the sectarist management
8578 agencies are so important in this, like DOE.

8579 And when it comes to combatting cybersecurity threats,
8580 they bring expertise, they bring history, and they bring
8581 relationships that understand why the need for this bill and
8582 just hope we can work with them as we move this towards the
8583 floor.

8584 And with that, Mr. Chairman, I yield back.

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8585 *Mr. Latta. Thank you.

8586 The gentleman yields back.

8587 Is there any further discussion on the amendment or the
8588 bill?

8589 The gentlelady from New York seek recognition.

8590 What does the gentlelady from New York seek recognition
8591 for?

8592 *Ms. Clarke. Mr. Chairman, I move to strike the last
8593 word.

8594 *Mr. Latta. The gentlelady is recognized for five
8595 minutes to strike the last word.

8596 *Ms. Clarke. Thank you very much, Mr. Chairman.

8597 My colleagues, in the last Congress, I served as chair
8598 of the Subcommittee on Cybersecurity and Infrastructure
8599 Protection on the Homeland Security Committee.

8600 Following the solar wind supply chain attack, Colonial
8601 Pipeline and other high profile cyberattacks last Congress,
8602 we identified critical gaps that undermined our national
8603 cybersecurity posture.

8604 The most critical vulnerability was that we lacked
8605 cross-sector visibility of malicious cyber activity happening
8606 on our domestic networks. For the better part of the 117th

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8607 Congress, I worked with my colleagues in the House and Senate
8608 to introduce and refine the Cyber Incident Reporting for
8609 Critical Infrastructure Act.

8610 At the outset, we had two clear goals. First, to
8611 disrupt the malicious cyber campaigns earlier and, second, to
8612 understand our adversaries better so we could move
8613 strategically and deploy resources to buy down risk.

8614 We recognized by adding additional reporting obligations
8615 to the private sector, we needed to ensure that we balanced
8616 the demands of incident response with those of regulatory
8617 compliance.

8618 Importantly, we acknowledged that the Federal Government
8619 had an obligation to add value to the new insight incident
8620 reporting would provide and translate that analysis into
8621 actionable guidance that will reach across critical
8622 infrastructure sectors.

8623 I was proud that we passed the CIRCIA into law and
8624 cybersecurity infrastructure security agency known as CISA is
8625 now in the process of implementing it.

8626 I believe the bill before us today is redundant and may
8627 cause more harm than good as it seeks to silo certain cyber
8628 incident information sharing at the Department of Energy,

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8629 which is unfortunate because the technology that underpins
8630 the electric subsector is used across other sectors.

8631 It makes no mention of CIRCIA. It makes no meaningful
8632 effort to ensure incident reporting requirements are
8633 appropriately harmonized. And I am glad to see the managers
8634 amendment makes improvements to the bill, but it still
8635 conflicts with the CIRCIA framework by reducing the window
8636 for reporting as victim entities are responding to a cyber
8637 incident, and establishes new definitions for the types of
8638 incidents that must be reported.

8639 CIRCIA allows parallel reporting frameworks to exist and
8640 puts in place mechanisms to reduce the regulatory burden on
8641 covered entities included by establishing the Cyber Incident
8642 Reporting Council and directing CISA to enter into MOUs with
8643 agencies and substantially similar reporting requirements.

8644 This bill makes no mention of these important burden
8645 reducing mechanisms. In fact, it appears to be an attempt to
8646 short circuit the CISA rulemaking process, which is currently
8647 underway.

8648 We must be mindful that we are adding new burdens on the
8649 entities that are victims of cyber incidents and conflicting
8650 regulations will frustrate incident response and compliance.

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8651 I understand and respect the goals of H.R. 1160, but
8652 unfortunately, I cannot support it.

8653 Having said that, I yield back, Mr. Chairman.

8654 *Mr. Latta. Thank you.

8655 The gentlelady yields back.

8656 And for what purpose does the gentleman from South
8657 Carolina seek recognition.

8658 *Mr. Duncan. Mr. Chairman, to strike the last word.

8659 *Mr. Latta. The gentleman seeks to strike the last
8660 word.

8661 You are recognized for five minutes to strike the last
8662 word.

8663 *Mr. Duncan. Thank you, Mr. Chairman.

8664 Cybersecurity is the number one threat to our energy
8665 infrastructure and critical infrastructure. In fact, a
8666 recent intelligence community threat assessment stated that
8667 China has the ability to launch cyberattacks on critical
8668 infrastructure, such as disruption of a natural gas pipeline.
8669 And Russia has the ability to execute cyberattacks on
8670 critical infrastructure, such as disrupting an electrical
8671 distribution network.

8672 The threat from foreign adversaries is growing and

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8673 evolving day by day. Enhanced coordination between the
8674 Federal Government and the energy sector is a critical step
8675 in improving the resilience of our energy system to
8676 cyberattacks.

8677 Mr. Walberg and Ms. Schrier's bill, as amended, amends
8678 the Federal Power Act to authorize DOE to issue regulations
8679 to require critical electric infrastructure owners and
8680 operators, such as utilities, to share information regarding
8681 cybersecurity incidents with the Department of Energy.

8682 DOE is the statutorily designated sector risk management
8683 agency for energy sector cybersecurity. It is critical that
8684 DOE receive the relevant cyber threat information from the
8685 energy industry so that it can improve the Federal
8686 Government's response to and recovery from such events.

8687 Now, I have heard concerns from some in industry that
8688 this bill is duplicative to existing requirements, and I
8689 understand that concern, but the amendment offered today
8690 directs the DOE in its rulemaking to harmonize its updated
8691 regulations with existing cybersecurity incident reporting
8692 requirements.

8693 The amendment also addresses other concerns raised by
8694 industry including removing language on potential cyber

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8695 incidents throughout the bill and adding liability
8696 protections for utilities that submit information to DOE, and
8697 explicit language that mandates a public comment period for
8698 rulemaking.

8699 It is not our intention to burden the energy industry
8700 with duplicative reporting requirements. The intention of
8701 this bill is to enhance situational awareness of the energy
8702 sector through information sharing with the DOE and to
8703 explicitly designate DOE as the lead agency to receive such
8704 notifications from the energy industry.

8705 It is then imperative that the DOE share that
8706 information with the Federal Government, not burden the
8707 private sector with reporting requirements to numerous
8708 agencies.

8709 So I support the bill. I support the amendment, and I
8710 urge my colleagues to do the same.

8711 And I yield back.

8712 *The Chair. [Presiding.] The gentleman yields back.

8713 Further discussion?

8714 The gentleman from Texas is recognized for five minutes
8715 to strike the last word.

8716 *Mr. Pfluger. Thank you, Madam Chair.

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8717 I would like to speak in favor of this bill.

8718 I appreciate the comments that have been made. I think
8719 this is an important discussion, especially the district that
8720 I represent which has a tremendous amount of energy that
8721 comes out of it.

8722 I do support H.R. 1160, as well as Mr. Walberg's
8723 amendment, and I think when you look at the requirements for
8724 protecting, as my colleague from South Carolina just
8725 mentioned, protecting the energy industry from cyberattacks
8726 and making sure that not only we can identify those, but we
8727 can also use the appropriate expertise within the Federal
8728 Government to respond to and mitigate those threats that
8729 happen upon our critical electrical infrastructure.

8730 This committee has worked with the electrical sector to
8731 ensure that some of the concerns that have previously
8732 existed, as my colleague from Utah mentioned, have been
8733 alleviated. That includes the reporting timeline increasing
8734 to 48 hours from 24; adding liability protections for
8735 entities that submit cyber incidents to DOE; adding in
8736 mandatory language that ensures the DOE rulemaking is
8737 harmonized with existing reporting requirements for the
8738 electrical sector; as well as establishing mandatory public

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8739 comment period for the rulemaking.

8740 And I believe with these changes, this bill is an
8741 important step for improving the resilience of the electric
8742 grid to cyber threats.

8743 DOE being the sector risk management agency for the
8744 energy sector cyber, which is codified in numerous statutes
8745 in this bill, strengthens that role while also ensuring that
8746 the electrical sector is not subject to the duplicative
8747 reporting requirements.

8748 We all know that the threat from the Chinese Community
8749 Party, from Russia, from Iran and other malign actors around
8750 the world is not going to stop, and this provides another
8751 layer that is not duplicative.

8752 I urge my colleagues to support both the underlying bill
8753 and the amendment.

8754 And I yield back, Madam Chair.

8755 *The Chair. The gentleman yields back.

8756 For the discussion, seeing no further discussion, a vote
8757 occurs on the amendment.

8758 All those in favor signify by saying aye.

8759 Those opposed, nay.

8760 The ayes have it, and the amendment is agreed to.

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8761 Are there any further amendments?

8762 [No response.]

8763 *The Chair. Seeing no further discussion, the question
8764 now occurs on approving H.R. 1160, and a roll call has been
8765 requested.

8766 The Clerk will call the roll.

8767 *The Clerk. Mr. Burgess?

8768 *Mr. Burgess. Aye.

8769 *The Clerk. Mr. Burgess votes aye.

8770 *Mr. Latta?

8771 *Mr. Latta. Aye.

8772 *The Clerk. Mr. Latta votes aye.

8773 Mr. Guthrie?

8774 *Mr. Guthrie. Aye.

8775 *The Clerk. Mr. Guthrie votes aye.

8776 Mr. Griffith?

8777 *Mr. Griffith. Aye.

8778 *The Clerk. Mr. Griffith votes aye.

8779 *Mr. Bilirakis?

8780 *Mr. Bilirakis. Aye.

8781 *The Clerk. Mr. Bilirakis votes aye.

8782 Mr. Johnson?

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8783 [No response.]

8784 *The Clerk. Mr. Bucshon?

8785 *Mr. Bucshon. Aye.

8786 *The Clerk. Mr. Bucshon votes aye.

8787 Mr. Hudson?

8788 [No response.]

8789 *The Clerk. Mr. Walberg?

8790 *Mr. Walberg. Aye.

8791 *The Clerk. Mr. Walberg votes aye.

8792 Mr. Carter?

8793 [No response.]

8794 *The Clerk. Mr. Duncan?

8795 *Mr. Duncan. Aye.

8796 *The Clerk. Mr. Duncan votes aye.

8797 Mr. Palmer?

8798 *Mr. Palmer. Aye.

8799 *The Clerk. Mr. Palmer votes aye.

8800 Mr. Dunn?

8801 *Mr. Dunn. Aye.

8802 *The Clerk. Mr. Dunn votes aye.

8803 Mr. Curtis?

8804 *Mr. Curtis. Aye.

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8805 *The Clerk. Mr. Curtis votes aye.
8806 Mrs. Lesko?
8807 *Mrs. Lesko. Aye.
8808 *The Clerk. Mrs. Lesko votes aye.
8809 Mr. Pence?
8810 *Mr. Pence. Aye.
8811 *The Clerk. Mr. Pence votes aye.
8812 Mr. Crenshaw?
8813 *Mr. Crenshaw. Aye.
8814 *The Clerk. Mr. Crenshaw votes aye.
8815 Mr. Joyce?
8816 *Mr. Joyce. Aye.
8817 *The Clerk. Mr. Joyce votes aye.
8818 Mr. Armstrong?
8819 *Mr. Armstrong. Yes.
8820 *The Clerk. Mr. Armstrong votes aye.
8821 Mr. Weber?
8822 *Mr. Weber. Aye.
8823 *The Clerk. Mr. Weber votes aye.
8824 Mr. Allen?
8825 *Mr. Allen. Aye.
8826 *The Clerk. Mr. Allen votes aye.

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8827 Mr. Balderson?

8828 *Mr. Balderson. Aye.

8829 *The Clerk. Mr. Balderson votes aye.

8830 Mr. Fulcher?

8831 *Mr. Fulcher. Aye.

8832 *The Clerk. Mr. Fulcher votes aye.

8833 Mr. Pfluger?

8834 *Mr. Pfluger. Aye.

8835 *The Clerk. Mr. Pfluger votes aye.

8836 Mrs. Harshbarger?

8837 *Mrs. Harshbarger. Aye.

8838 *The Clerk. Mrs. Harshbarger votes aye.

8839 Mrs. Miller-Meeks?

8840 *Mrs. Miller-Meeks. Aye.

8841 *The Clerk. Mrs. Miller-Meeks votes aye.

8842 Mrs. Cammack?

8843 [No response.]

8844 *The Clerk. Mr. Obernolte?

8845 [No response.]

8846 *The Clerk. Mr. Pallone?

8847 *Mr. Pallone. Aye

8848 *The Clerk. Mr. Pallone votes aye.

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8849 Ms. Eshoo?
8850 *Ms. Eshoo. Aye.
8851 *The Clerk. Ms. Eshoo votes aye.
8852 Ms. DeGette?
8853 *Ms. DeGette. Aye.
8854 *The Clerk. Ms. DeGette votes aye.
8855 Ms. Schakowsky?
8856 *Ms. Schakowsky. Aye.
8857 *The Clerk. Ms. Schakowsky votes aye.
8858 Ms. Matsui?
8859 *Ms. Matsui. Aye.
8860 *The Clerk. Ms. Matsui votes aye.
8861 Ms. Castor?
8862 *Ms. Castor. Aye.
8863 *The Clerk. Ms. Castor votes aye.
8864 Mr. Sarbanes?
8865 *Mr. Sarbanes. Aye.
8866 *The Clerk. Mr. Sarbanes votes aye.
8867 Mr. Tonko?
8868 *Mr. Tonko. Aye.
8869 *The Clerk. Mr. Tonko votes aye.
8870 Ms. Clarke?

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8871 *Ms. Clarke. No.

8872 *The Clerk. Ms. Clarke votes no.

8873 Mr. Cardenas?

8874 [No response.]

8875 *The Clerk. Mr. Ruiz?

8876 *Mr. Ruiz. Aye.

8877 *The Clerk. Mr. Ruiz votes aye.

8878 Mr. Peters?

8879 *Mr. Peters. Aye.

8880 *The Clerk. Mr. Peters votes aye.

8881 Mrs. Dingell?

8882 *Mrs. Dingell. Aye.

8883 *The Clerk. Mrs. Dingell votes aye.

8884 Mr. Veasey?

8885 [No response.]

8886 *The Clerk. Ms. Kuster?

8887 *Ms. Kuster. Aye.

8888 *The Clerk. Ms. Kuster votes aye.

8889 Ms. Kelly?

8890 *Ms. Kelly. Aye.

8891 *The Clerk. Ms. Kelly votes aye.

8892 Ms. Barragan?

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

8893 *Ms. Barragan. Aye.

8894 *The Clerk. Ms. Barragan votes aye.

8895 Ms. Blunt Rochester?

8896 *Ms. Blunt Rochester. Aye.

8897 *The Clerk. Ms. Blunt Rochester votes aye.

8898 Mr. Soto?

8899 *Mr. Soto. Aye.

8900 *The Clerk. Mr. Soto votes aye.

8901 Ms. Craig?

8902 [No response.]

8903 *The Clerk. Ms. Schrier?

8904 *Ms. Schrier. Yes.

8905 *The Clerk. Ms. Schrier votes aye.

8906 Ms. Craig votes aye.

8907 Ms. Schrier?

8908 *Ms. Schrier. Aye.

8909 *The Clerk. Ms. Schrier votes aye.

8910 Mrs. Trahan?

8911 *Mrs. Trahan. Aye.

8912 *The Clerk. Mrs. Trahan votes aye.

8913 Mrs. Fletcher?

8914 *Mrs. Fletcher. Aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

8915 *The Clerk. Mrs. Fletcher votes aye.
8916 Chair Rodgers?
8917 *The Chair. Aye.
8918 *The Clerk. Chair Rodgers votes aye.
8919 *The Chair. How is Mr. Cardenas recorded?
8920 *The Clerk. Mr. Cardenas is not recorded.
8921 *Mr. Cardenas. Aye.
8922 *The Clerk. Mr. Cardenas votes aye.
8923 *The Chair. Mr. Carter?
8924 *The Clerk. Mr. Carter is not recorded.
8925 *Mr. Carter. Aye.
8926 *The Clerk. Mr. Carter votes aye.
8927 *The Chair. Mr. Johnson?
8928 *The Clerk. Mr. Johnson is not recorded.
8929 *Mr. Johnson. Mr. Johnson is aye.
8930 *The Clerk. Mr. Johnson votes aye.
8931 *The Chair. How is Mrs. Cammack recorded?
8932 *The Clerk. Mrs. Cammack is not recorded.
8933 *Mrs. Cammack. Aye.
8934 *The Clerk. Mrs. Cammack votes aye.
8935 *Mr. Pallone. Mr. Veasey?
8936 *The Clerk. Mr. Veasey is not recorded.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

8937 *Mr. Veasey. Aye.

8938 *The Clerk. Mr. Veasey votes aye.

8939 *The Chair. The clerk will report.

8940 *The Clerk. Chair Rodgers, on that vote we have 49 ayes
8941 and one no.

8942 *The Chair. The ayes have it and the bill is adopted.

8943 The Chair calls up H.R. 3277 and asks the clerk to
8944 report.

8945 *The Clerk. H.R. 3277, a bill to amend the
8946 department --

8947 *The Chair. Without objection, the first reading of the
8948 bill is dispensed with and the bill will be open for
8949 amendment at any point. So ordered.

8950 Does anyone seek to be recognized on this bill?

8951 *Mr. Walberg. Madame chair, move to strike the last
8952 word?

8953 *The Chair. Mr. Walberg. For what purpose does the
8954 gentleman seek recognition?

8955 *Mr. Walberg. To strike the last word and speak on
8956 behalf of my bill.

8957 *The Chair. The gentleman is recognized.

8958 *Mr. Walberg. Thank you, Madame chair.

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8959 I am proud that the Committee is considering my
8960 legislation, H.R. 3277, the Energy Emergency Leadership Act.
8961 The Energy Emergency Leadership Act requires the Secretary of
8962 Energy to elevate energy emergency and energy security
8963 functions to the Assistant Secretary level.

8964 The FAST Act allowed the Department to establish the
8965 Office Cybersecurity and Energy Security Emergency Response
8966 or CESER. Now, it's imperative that we establish a high-
8967 level official to oversee the office and be the go-to person,
8968 with respect to infrastructure, cybersecurity, emergency
8969 planning, and emerging threats.

8970 Energy emergencies and the security of our energy
8971 infrastructure are paramount concerns for our nation's
8972 stability, economic prosperity, and the well-being of our
8973 constituents.

8974 As we have witnessed in recent years, natural disasters,
8975 cyber attacks, and other unforeseen events have demonstrated
8976 the vulnerability of our energy systems and the potential
8977 consequences of disruption and supply.

8978 By establishing a designated leader within the agency,
8979 we are ensuring that the necessary attention, expertise, and
8980 resources are devoted to effectively prepare for and respond

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8981 to energy emergencies.

8982 This elevation will facilitate a more streamlined and
8983 more coordinated approach in addressing energy disruptions,
8984 bolstering our nation's resilience, and mitigating the
8985 potential adverse impacts on our economy and national
8986 security.

8987 As our adversaries deploy more advanced tactics to
8988 disrupt our energy security, we must be better prepared.
8989 Thank you to my friend and co-lead Senator, or excuse me,
8990 Congresswoman Blunt Rochester, wink wink, for joining me on
8991 this legislation.

8992 With it we will provide DOE with the tools to address
8993 the ever-growing threats and secure our energy future. I
8994 encourage my colleagues to support it and I yield back.

8995 *The Chair. The gentleman yields back. Further
8996 discussion?

8997 The lady from Delaware, Ms. Blunt Rochester, is
8998 recognized for five minutes to strike the last word.

8999 *Ms. Blunt Rochester. Thank you, Madame chair. I move
9000 to strike the last word. And thank you for the recognition.

9001 The Energy Emergency Leadership Act is a bipartisan
9002 bill, as my good friend Mr. Walberg just shared, that will

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9003 protect our energy grid from cyber attacks and other threats
9004 to our energy infrastructure.

9005 We have seen this legislation pass in the House in
9006 previous Congresses, but it is my hope that this year it will
9007 make it past the House, up to the Senate, and be signed by
9008 the President, because the need grows stronger every single
9009 day.

9010 In 2022, the number of risks to critical infrastructure
9011 escalated due to the increase in cyber ransom crimes, threats
9012 from nation-state actors, and the war in Ukraine.

9013 Our energy grid is facing escalating threats from the
9014 wanton destruction of power substations in states like North
9015 Carolina, to extreme weather events and rising sea levels.
9016 And another catastrophic cyber attack like that on the
9017 Colonial Pipeline, looms over our energy grid daily.

9018 The Department of Energy understands that action must be
9019 taken, which is why they created the office of Cybersecurity,
9020 Energy Security, and Emergency Response, CESER. They have
9021 done a fantastic job using the office to protect our power
9022 resources that ensure the health and wellness of our country
9023 and our economy.

9024 The Energy Emergency Leadership Act will further support

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9025 the work of this office by designating, in statute, an
9026 Assistant Secretary responsible for cybersecurity and
9027 emergency response issues.

9028 This will ensure CESER is a resource for years to come.
9029 It is essential that we make our systems as secure as
9030 possible. Any vulnerability to our grid is a threat to our
9031 national security.

9032 And I am proud, again, proud to co-lead the Energy
9033 Emergency Leadership Act with Mr. Walberg because it is
9034 imperative that we take proactive steps to mitigate the risk
9035 of these types of attacks.

9036 This legislation will help in achieving that goal.
9037 Thank you, Madame chair, and I yield back.

9038 *The Chair. The gentlelady yields back. Further
9039 discussion?

9040 Seeing none, the question occurs on approving H.R. 3277
9041 and a roll call has been requested. The clerk will call the
9042 roll.

9043 *The Clerk. Mr. Burgess?

9044 *Mr. Burgess. Burgess votes aye.

9045 *The Clerk. Mr. Burgess votes aye.

9046 Mr. Latta?

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9047 *Mr. Latta. Aye.
9048 *The Clerk. Mr. Latta votes aye.
9049 Mr. Guthrie?
9050 *Mr. Guthrie. Aye.
9051 *The Clerk. Mr. Guthrie votes aye.
9052 Mr. Griffith?
9053 *Mr. Griffith. Aye.
9054 *The Clerk. Mr. Griffith votes aye.
9055 Mr. Bilirakis?
9056 *Mr. Bilirakis. Aye.
9057 *The Clerk. Mr. Bilirakis votes aye.
9058 Mr. Johnson?
9059 *Mr. Johnson. Aye.
9060 *The Clerk. Mr. Johnson votes aye.
9061 Mr. Bucshon?
9062 [No response.]
9063 *The Clerk. Mr. Hudson?
9064 [No response.]
9065 *The Clerk. Mr. Walberg?
9066 *Mr. Walberg. Aye.
9067 *The Clerk. Mr. Walberg votes aye.
9068 Mr. Carter?

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9069 [No response.]
9070 *The Clerk. Mr. Duncan?
9071 *Mr. Duncan. Aye.
9072 *The Clerk. Mr. Duncan votes aye.
9073 Mr. Palmer?
9074 *Mr. Palmer. Aye.
9075 *The Clerk. Mr. Palmer votes aye.
9076 Mr. Dunn?
9077 [No response.]
9078 *The Clerk. Mr. Curtis?
9079 *Mr. Curtis. Aye.
9080 *The Clerk. Mr. Curtis votes aye.
9081 Mrs. Lesko?
9082 *Mrs. Lesko. Aye.
9083 *The Clerk. Mrs. Lesko votes aye.
9084 Mr. Pence?
9085 *Mr. Pence. Aye.
9086 *The Clerk. Mr. Pence votes aye.
9087 Mr. Crenshaw?
9088 *Mr. Crenshaw. Aye.
9089 *The Clerk. Mr. Crenshaw votes aye.
9090 Mr. Joyce?

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9091 [No response.]

9092 *The Clerk. Mr. Armstrong?

9093 *Mr. Armstrong. Yes.

9094 *The Clerk. Mr. Armstrong votes aye.

9095 Mr. Weber?

9096 *Mr. Weber. Aye.

9097 *The Clerk. Mr. Weber votes aye.

9098 Mr. Allen?

9099 *Mr. Allen. Aye.

9100 *The Clerk. Mr. Allen votes aye.

9101 Mr. Balderson?

9102 [No response.]

9103 *The Clerk. Mr. Fulcher?

9104 *Mr. Fulcher. Aye.

9105 *The Clerk. Mr. Fulcher votes aye.

9106 Mr. Pfluger?

9107 *Mr. Pfluger. Aye.

9108 *The Clerk. Mr. Pfluger?

9109 *Mr. Pfluger. Aye.

9110 *The Clerk. Mr. Pfluger votes aye.

9111 Mrs. Harshbarger?

9112 [No response.]

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9113 *The Clerk. Mrs. Miller-Meeks?
9114 [No response.]
9115 *The Clerk. Mrs. Cammack?
9116 [No response.]
9117 *The Clerk. Mr. Obernolte?
9118 [No response.]
9119 *The Clerk. Mr. Pallone?
9120 *Mr. Pallone. Aye.
9121 *The Clerk. Mr. Pallone votes aye.
9122 Ms. Eshoo?
9123 *Ms. Eshoo. Aye.
9124 *The Clerk. Ms. Eshoo votes aye.
9125 Ms. DeGette?
9126 *Ms. DeGette. Aye.
9127 *The Clerk. Ms. DeGette votes aye.
9128 Ms. Schakowsky?
9129 *Ms. Schakowsky. Aye.
9130 *The Clerk. Ms. Schakowsky votes aye.
9131 Ms. Matsui?
9132 *Ms. Matsui. Aye.
9133 *The Clerk. Ms. Matsui votes aye.
9134 Ms. Castor?

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9135 *Ms. Castor. Aye.

9136 *The Clerk. Ms. Castor votes aye.

9137 Mr. Sarbanes?

9138 *Mr. Sarbanes. Aye.

9139 *The Clerk. Mr. Sarbanes votes aye.

9140 Mr. Tonko?

9141 *Mr. Tonko. Aye.

9142 *The Clerk. Mr. Tonko votes aye.

9143 Ms. Clarke?

9144 *Ms. Clarke. Aye.

9145 *The Clerk. Ms. Clarke votes aye.

9146 Mr. Cardenas?

9147 *Mr. Cardenas. Aye.

9148 *The Clerk. Mr. Cardenas votes aye.

9149 Mr. Ruiz?

9150 *Mr. Ruiz. Aye.

9151 *The Clerk. Mr. Ruiz votes aye.

9152 Mr. Peters?

9153 *Mr. Peters. Aye.

9154 *The Clerk. Mr. Peters votes aye.

9155 Mrs. Dingell?

9156 *Mrs. Dingell. Aye.

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9157 *The Clerk. Mrs. Dingell votes aye.
9158 Mr. Veasey?
9159 *Mr. Veasey. Aye.
9160 *The Clerk. Mr. Veasey votes aye.
9161 Ms. Kuster?
9162 *Ms. Kuster. Aye.
9163 *The Clerk. Ms. Kuster votes aye.
9164 Ms. Kelly?
9165 *Ms. Kelly. Aye.
9166 *The Clerk. Ms. Kelly votes aye.
9167 *The Clerk. Ms. Barragan.
9168 *Ms. Barragan. Aye.
9169 *The Clerk. Ms. Barragan votes aye.
9170 Ms. Blunt Rochester?
9171 *Ms. Blunt Rochester. Aye.
9172 *The Clerk. Ms. Blunt Rochester votes aye.
9173 Mr. Soto?
9174 *Mr. Soto. Aye.
9175 *The Clerk. Mr. Soto votes aye.
9176 Ms. Craig?
9177 *Ms. Craig. Aye.
9178 *The Clerk. Ms. Craig votes aye.

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9179 Ms. Schrier?
9180 *Ms. Schrier. Aye.
9181 *The Clerk. Ms. Schrier votes aye.
9182 Mrs. Trahan?
9183 *Mrs. Trahan. Aye.
9184 *The Clerk. Mrs. Trahan votes aye.
9185 Mrs. Fletcher?
9186 *Mrs. Fletcher. Aye.
9187 *The Clerk. Mrs. Fletcher votes aye.
9188 Chair Rodgers?
9189 *The Chair. Aye.
9190 *The Clerk. Chair Rodgers votes aye.
9191 *The Chair. Call the names of those who are not
9192 recorded?
9193 *The Clerk. Mr. Bucshon.
9194 *Mr. Bucshon. Votes aye.
9195 *The Clerk. Mr. Bucshon votes aye.
9196 Mr. Hudson?
9197 [No response.]
9198 *The Clerk. Mr. Dunn?
9199 *Mr. Dunn. Aye.
9200 *The Clerk. Mr. Dunn votes aye.

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9201 Mr. Joyce?

9202 *Mr. Joyce. Aye.

9203 *The Clerk. Mr. Joyce votes aye.

9204 Mrs. Harshbarger.

9205 *Mrs. Harshbarger. Aye.

9206 *The Clerk. Mrs. Harshbarger votes aye.

9207 Mrs. Miller-Meeks?

9208 *Mrs. Miller-Meeks. Aye.

9209 *The Clerk. Mrs. Miller-Meeks votes aye.

9210 Mrs. Cammack?

9211 [No response.]

9212 *The Clerk. Mr. Obernolte?

9213 [No response.]

9214 *The Chair. How is Mr. Carter recorded?

9215 *The Clerk. Mr. Carter is not recorded.

9216 *Mr. Carter. Aye.

9217 *The Clerk. Mr. Carter votes aye.

9218 *The Chair. The clerk will report.

9219 *The Clerk. Chair Rodgers, on that vote we have 48 ayes

9220 and zero noes.

9221 *The Chair. The ayes have it, the bill is adopted.

9222 The Chair calls up H.R. 1042, as amended, by the

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9223 Subcommittee on Energy, Climate, and Grid Security and asks
9224 the clerk to report.

9225 *The Clerk. Committee print showing the text of H.R.
9226 1042, as favorably forwarded by the Subcommittee on Energy,
9227 Climate, and Grid Security on May 16th, 2023, a bill to
9228 prohibit the importation into the United States of
9229 unirradiated low-enrich uranium --

9230 *The Chair. Without objection, the first reading of the
9231 bill is dispensed with. The bill will be open to amendment
9232 at any point, so ordered.

9233 The Chair recognizes herself for five minutes to strike
9234 the last word on H.R. 1042.

9235 We no longer ignore the risk posed by America's reliance
9236 on Russian nuclear. Our nuclear industry continues to
9237 purchase more than 20 percent of its nuclear fuel from
9238 Russia. Russia could disrupt these supplies to the United
9239 States at any time.

9240 And, as we all know, Putin will not hesitate to
9241 weaponize Russia's energy supplies for his strategic
9242 advantage. We have already seen this play out in Europe.

9243 Nuclear fuel is not like natural gas. The nuclear
9244 energy has long lead fueling practices and large inventories

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9245 of fuels available, including government inventories and
9246 enables protections from disruptions for many years.

9247 H.R. 1042 sends a strong signal to industry and provides
9248 certainty that Russian fuels won't be able to flood the
9249 American market any time soon. In fact, fuel processing
9250 plants in the United States already have license capacity
9251 today that they need to replace the supply of Russian low-
9252 enriched uranium.

9253 The problem is that no processing facility will invest
9254 the billions of dollars necessary to achieve that license
9255 capacity unless they have the certainty of long-term
9256 contracts for their products to cover their investments.

9257 And the orders from their fuel customers will not be
9258 made if there remains uncertainty that Russia will be able to
9259 flood the market like it has in so many other examples, with
9260 its massive production capacity.

9261 H.R. 1042 puts America's private nuclear market to work.
9262 This is a mature market. We do not need the federal
9263 government taking control of fuel supplies before we ban
9264 Russian fuels.

9265 That is just a recipe for delay and market volatility.
9266 We are still waiting on DOE to implement the provisions of

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9267 the Energy Act of 2020, provisions originating with this
9268 Committee to develop production capacity for advanced nuclear
9269 fuels. It has been three years. This isn't the kind of
9270 certainty the market needs.

9271 Strengthening American leadership in nuclear technology
9272 and innovation is a top priority for me and this Committee,
9273 this Congress. It is critical, as we all know, to our
9274 economy, our national security, and it must be a part of a
9275 strong energy mix.

9276 We need to restore the vision that we once had regarding
9277 American nuclear, to ensure America, not Russia or China, is
9278 leading and I urge you to support the Prohibiting Russian
9279 Uranium Act. And I yield back.

9280 The Chair recognizes the ranking member for five
9281 minutes.

9282 *Mr. Pallone. Thank you. Well, I was just going to do
9283 an amendment.

9284 *The Chair. Okay. The ranking member -- anyone else
9285 seeking to discuss the underlying bill?

9286 Mr. Latta is recognized for five minutes to strike the
9287 last word.

9288 *Mr. Latta. Well, thank you, Madame chair, and strike

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9289 the last word.

9290 I want to speak in favor of the Chair's legislation, the
9291 Prohibiting Russian Uranium Imports Act, of which I am an
9292 original co-sponsor and emphasize the importance of new
9293 provisions that require the completion of a market
9294 evaluation.

9295 As we discussed in the Energy Subcommittee last week,
9296 Congress must send a message to our domestic nuclear
9297 industry, and to our adversaries that the United States is
9298 ending its reliance on foreign nations for nuclear fuels.

9299 We need to regain our competitive edge in the nuclear
9300 space, which can only be done by enacting policies that will
9301 encourage growth in the mining, production, enrichment, and
9302 conversion of uranium right here at home.

9303 H.R. 1042 sends the necessary market signal that Russian
9304 uranium imports will be cut off and industry will need to
9305 focus on new fuel sources for the long term. It also
9306 includes an amendment, that I offered in the Subcommittee,
9307 that will direct the DOE to conduct a comprehensive market
9308 evaluation to gain up to date information on potential
9309 domestic supply needs.

9310 If this market evaluation shows deficiencies and the

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9311 Secretary identifies assistance that may be necessary, then
9312 I'm prepared to work with my colleagues in this Committee and
9313 at DOE to make sure that the needs of our domestic nuclear
9314 industry are addressed.

9315 Additionally, I am continuing to work on an updated
9316 version of my nuclear fuel's legislation will help move the
9317 HALEU supply in related to domestic production capacity. I
9318 look forward to collaborating with my colleagues in a
9319 bipartisan fashion to advance this bill after incorporating
9320 feedback from the stakeholders.

9321 Again, I urge my colleagues to support H.R. 1042.
9322 Madame chair, I yield back the balance of my time.

9323 *The Chair. The gentleman yields back. Further
9324 discussion?

9325 Are there any amendments? Ranking Member Pallone?

9326 *Mr. Pallone. Yes, Madame chair, I have an amendment at
9327 the desk labeled MNFC01.

9328 *The Chair. The clerk will report the amendment.

9329 *The Clerk. Amendment to the Committee print of H.R.
9330 1042, offered by Mr. Pallone. Add at the end, the
9331 following --

9332 *The Chair. The clerk will suspend the reading of the

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9333 amendment. The gentleman is recognized for five minutes in

9334 support of his amendment.

9335 [The amendment of Mr. Pallone follows:]

9336

9337 *****COMMITTEE INSERT*****

9338

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9339 *Mr. Pallone. Thank you, Madame chair.

9340 Last week I offered an amendment at the Energy
9341 Subcommittee markup, but this is important enough that I want
9342 to offer it again.

9343 I want to be clear; I support weaning our domestic
9344 nuclear industry off imports of Russian uranium, however,
9345 that has to be partnered with investments in our domestic
9346 nuclear fuel conversion and enrichment industries so we don't
9347 hinder our single largest source of clean energy.

9348 Without those investments, the bills target of ending
9349 Russian uranium imports by 2028, is simply not tenable.
9350 Right now there is only a single uranium enrichment facility
9351 operating in the United States, and it can only support
9352 roughly one-third of our civilian nuclear fleet's enriched
9353 uranium needs.

9354 There are zero uranium conversion facilities currently
9355 operating in the US. So simply put, right now, we lack the
9356 vital infrastructure to ban all Russian uranium imports
9357 overnight without causing damage to our nation's nuclear
9358 industry.

9359 Now, my amendment adds Mr. Latta's bill, the Nuclear
9360 Fuel Security Act to H.R. 1042, and would create programs

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9361 within DOE to ensure the supply of low-enriched uranium that
9362 our current reactors need.

9363 It will also ensure the supply of a high-assay, low-
9364 enriched uranium that future advanced reactors will need
9365 while we wind down our imports of Russian uranium.

9366 Partnering these two bills together provides companies
9367 with the certainty and the ability they need to make
9368 necessary investments in the domestic nuclear supply chain
9369 and ensures we can get ourselves off Russian uranium
9370 responsibly.

9371 Energy Secretary Jennifer Granholm agrees with the idea
9372 of partnering a Russian uranium ban with investments in our
9373 own supply chain. When she appeared before the Energy
9374 Subcommittee two weeks ago, she affirmed that she wanted to,
9375 quote, "work with Congress on a uranium strategy that gives
9376 us the ability to finance the processing, the conversion, and
9377 the enrichment in the United States.'"`

9378 And Madame chair, I generally understand if you don't
9379 want to take the Secretary of Energy's word for it, but
9380 listen to Senator Barrasso, ranking member of the Senate
9381 Energy and Natural Resources Committee, hardly a partisan
9382 democrat.

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9383 Last week Senator Barrasso expressed his strong support
9384 for the Senate companion to Mr. Latta's Nuclear Fuel Security
9385 Act and said that the bill has strong bipartisan support.

9386 We have a divided government in the 118th Congress, that
9387 is just a fact. That means that any piece of legislation
9388 that makes it to the President's desk, must have strong
9389 bipartisan support, partnering a phase out of importing
9390 Russian uranium with investments in our domestic nuclear
9391 supply chain has that strong bipartisan support and this bill
9392 I am offering as an amendment, passed out of the Committee in
9393 the Senate just last week on a voice vote with a bipartisan
9394 amendment that added a requirement to phase out the
9395 importation of Russian uranium.

9396 Now, I must say I can't believe I am praising action by
9397 the Senate, Madame Char. John Dingle, I am looking at his
9398 portrait up there, might come down and strike me for
9399 mentioning the Senate in such a positive way, but the fact of
9400 the matter is, every single senator on the Committee
9401 supported that strong bipartisan idea, and I think that if we
9402 do that, we will have a very good chance of getting this bill
9403 passed.

9404 So I hope that every member on this Committee can

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9405 support that same bipartisan idea today. And with that,
9406 Madame chair, I yield back.

9407 *The Chair. The gentleman yields back. Further
9408 discussion? The gentleman from Ohio, Mr. Latta is recognized
9409 for five minutes.

9410 *Mr. Latta. Thank you. Move to strike the last word
9411 and thank you, Madame chair.

9412 I appreciate a continued engagement on this issue. As I
9413 said last week, during our Subcommittee markup, I am proud of
9414 the previous work that I have done on this issue and for
9415 helping to spur this important conversation that we are
9416 having.

9417 However, because we have received new feedback from
9418 stakeholders in industry, we are now working to make changes
9419 and revisions to the Nuclear Fuel Security Act. I am
9420 absolutely committed to moving legislation on nuclear fuels
9421 in a bipartisan manner.

9422 Together we can identify the necessary reforms that will
9423 better position DOE to support domestic nuclear
9424 infrastructure, especially advanced fuel capacity, which this
9425 Committee has a record of leading, particularly, in our
9426 provisions in the Energy Act of 2020.

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9427 The issue before us today, however, is to create the
9428 market signals to unleash investment in American nuclear
9429 infrastructure. If my friend and colleague would be willing
9430 to withdraw the amendment, I am committed to working with you
9431 and the Chair to incorporate bipartisan view points so we can
9432 enhance my legislation and move it through regular order in
9433 the near future.

9434 And I yield to my friend if you are willing to withdraw
9435 the amendment?

9436 *Mr. Pallone. No, unfortunately, I don't want to
9437 withdraw it. I would like to work with you, but I do think
9438 that --

9439 *Mr. Latta. Well, thank you.

9440 *Mr. Pallone. -- I would like to have a vote.

9441 *Mr. Latta. If not, I urge my colleagues to oppose this
9442 amendment on the underlying bill and I yield back.

9443 *Mr. Pallone. I am stuck on the Senate.

9444 *The Chair. The gentleman yields back. Further
9445 discussion?

9446 The vote occurs on the ranking members amendment. He
9447 wants a roll call; he demands a roll call. Clerk will call
9448 the roll.

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9449 *The Clerk. Mr. Burgess?
9450 *Mr. Burgess. Burgess votes no.
9451 *The Clerk. Can Mr. Burgess repeat his vote?
9452 Mr. Burgess votes no.
9453 Mr. Latta?
9454 *Mr. Latta. No.
9455 *The Clerk. Mr. Latta votes no.
9456 Mr. Guthrie?
9457 *Mr. Guthrie. No.
9458 *The Clerk. Mr. Guthrie votes no.
9459 Mr. Griffith?
9460 *Mr. Griffith. No.
9461 *The Clerk. Mr. Griffith votes no.
9462 *The Clerk. Mr. Bilirakis?
9463 *Mr. Bilirakis. No.
9464 *The Clerk. Mr. Bilirakis votes no.
9465 Mr. Johnson?
9466 *Mr. Johnson. No.
9467 *The Clerk. Mr. Johnson votes no.
9468 Mr. Bucshon?
9469 *Mr. Bucshon. No.
9470 *The Clerk. Mr. Bucshon votes no.

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9471 Mr. Hudson?
9472 [No response.]
9473 *The Clerk. Mr. Walberg?
9474 *Mr. Walberg. No.
9475 *The Clerk. Mr. Walberg votes no.
9476 Mr. Carter?
9477 [No response.]
9478 *The Clerk. Mr. Duncan?
9479 *Mr. Duncan. No.
9480 *The Clerk. Mr. Duncan votes no.
9481 Mr. Palmer?
9482 [No response.]
9483 *The Clerk. Mr. Dunn?
9484 [No response.]
9485 *The Clerk. Mr. Curtis?
9486 *Mr. Curtis. No.
9487 *The Clerk. Mr. Curtis votes no.
9488 Mrs. Lesko?
9489 *Mrs. Lesko. No.
9490 *The Clerk. Mrs. Lesko votes no.
9491 Mr. Pence?
9492 *Mr. Pence. No.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

9493 *The Clerk. Mr. Pence votes no.
9494 Mr. Crenshaw?
9495 *Mr. Crenshaw. No.
9496 *The Clerk. Mr. Crenshaw votes no.
9497 Mr. Joyce?
9498 *Mr. Joyce. No.
9499 *The Clerk. Mr. Joyce votes no.
9500 Mr. Armstrong?
9501 *Mr. Armstrong. No.
9502 *The Clerk. Mr. Armstrong votes no.
9503 Mr. Weber?
9504 *Mr. Weber. No.
9505 *The Clerk. Mr. Weber votes no.
9506 Mr. Allen?
9507 [No response.]
9508 *The Clerk. Mr. Balderson?
9509 *Mr. Balderson. No.
9510 *The Clerk. Mr. Balderson votes no.
9511 Mr. Fulcher?
9512 *Mr. Fulcher. Fulcher, no.
9513 *The Clerk. Mr. Fulcher votes no.
9514 Mr. Pfluger?

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9515 *Mr. Pfluger. No.

9516 *The Clerk. Mr. Pfluger votes no.

9517 Mrs. Harshbarger?

9518 *Mrs. Harshbarger. No.

9519 *The Clerk. Mrs. Harshbarger votes no.

9520 Mrs. Miller-Meeks?

9521 *Mrs. Miller-Meeks. No.

9522 *The Clerk. Mrs. Miller-Meeks votes no.

9523 Mrs. Cammack?

9524 [No response.]

9525 *The Clerk. Mr. Obernolte?

9526 [No response.]

9527 *The Clerk. Mr. Pallone?

9528 *Mr. Pallone. Aye.

9529 *The Clerk. Mr. Pallone votes aye.

9530 Ms. Eshoo?

9531 *Ms. Eshoo. Aye.

9532 *The Clerk. Ms. Eshoo votes aye.

9533 Ms. DeGette?

9534 *Ms. DeGette. Aye.

9535 *The Clerk. Ms. DeGette votes aye.

9536 Ms. Schakowsky?

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9537 *Ms. Schakowsky. Aye.
9538 *The Clerk. Ms. Schakowsky votes aye.
9539 Ms. Matsui?
9540 *Ms. Matsui. Aye.
9541 *The Clerk. Ms. Matsui votes aye.
9542 Ms. Castor?
9543 *Ms. Castor. Aye.
9544 *The Clerk. Ms. Castor votes aye.
9545 Mr. Sarbanes?
9546 *Mr. Sarbanes. Aye.
9547 *The Clerk. Mr. Sarbanes votes aye.
9548 Mr. Tonko?
9549 *Mr. Tonko. Aye.
9550 *The Clerk. Mr. Tonko votes aye.
9551 Ms. Clarke?
9552 *Ms. Clarke. Aye.
9553 *The Clerk. Ms. Clarke votes aye.
9554 Mr. Cardenas?
9555 *Mr. Cardenas. Aye.
9556 *The Clerk. Mr. Cardenas votes aye.
9557 Mr. Ruiz?
9558 *Mr. Ruiz. Aye.

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9559 *The Clerk. Mr. Ruiz votes aye.
9560 Mr. Peters?
9561 *Mr. Peters. Aye.
9562 *The Clerk. Mr. Peters votes aye.
9563 Mrs. Dingell?
9564 *Mrs. Dingell. Aye.
9565 *The Clerk. Mrs. Dingell votes aye.
9566 Mr. Veasey?
9567 *Mr. Veasey. Aye.
9568 *The Clerk. Mr. Veasey votes aye.
9569 Ms. Kuster?
9570 *Ms. Kuster. Aye.
9571 *The Clerk. Ms. Kuster votes aye.
9572 Ms. Kelly?
9573 *Ms. Kelly. Aye.
9574 *The Clerk. Ms. Kelly votes aye.
9575 *The Clerk. Ms. Barragan.
9576 *Ms. Barragan. Aye.
9577 *The Clerk. Ms. Barragan votes aye.
9578 Ms. Blunt Rochester?
9579 *Ms. Blunt Rochester. Aye.
9580 *The Clerk. Ms. Blunt Rochester votes aye.

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9581 Mr. Soto?

9582 *Mr. Soto. Aye.

9583 *The Clerk. Mr. Soto votes aye.

9584 Ms. Craig?

9585 *Ms. Craig. Aye.

9586 *The Clerk. Ms. Craig votes aye.

9587 Ms. Schrier?

9588 *Ms. Schrier. Aye.

9589 *The Clerk. Ms. Schrier votes aye.

9590 Mrs. Trahan?

9591 *Mrs. Trahan. Aye.

9592 *The Clerk. Mrs. Trahan votes aye.

9593 Mrs. Fletcher?

9594 *Mrs. Fletcher. Aye.

9595 *The Clerk. Mrs. Fletcher votes aye.

9596 Chair Rodgers?

9597 *The Chair. No.

9598 *The Clerk. Chair Rodgers votes no.

9599 *The Chair. How is Mr. Carter recorded?

9600 *The Clerk. Mr. Carter is not recorded.

9601 *Mr. Carter. No.

9602 *The Clerk. Mr. Carter votes no.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

9603 *The Chair. Mr. Dunn?

9604 *The Clerk. Mr. Dunn is not recorded.

9605 *Mr. Dunn. No.

9606 *The Clerk. Mr. Dunn votes no.

9607 *The Chair. Mr. Allen?

9608 *The Clerk. Mr. Allen is not recorded.

9609 *Mr. Allen. No.

9610 *The Clerk. Mr. Allen votes no.

9611 *The Chair. Any other member seeking to be recorded?

9612 *Mrs. Cammack. How is Cammack recorded?

9613 *The Clerk. Mrs. Cammack is not recorded.

9614 *Mrs. Cammack. No.

9615 *The Clerk. Mrs. Cammack votes no.

9616 *The Chair. The clerk will report.

9617 *The Clerk. Chair Rodgers, on that vote we have 23 ayes

9618 and 26 noes.

9619 *The Chair. The noes have it. The amendment is not

9620 adopted.

9621 Are there further amendments?

9622 The question now occurs on approving H.R. 1042. A roll

9623 call has been requested. The clerk will call the roll.

9624 *The Clerk. Mr. Burgess?

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9625 *Mr. Burgess. Aye.

9626 *The Clerk. Burgess votes aye.

9627 Mr. Latta?

9628 *Mr. Latta. Aye.

9629 *The Clerk. Mr. Latta votes aye.

9630 Mr. Guthrie?

9631 *Mr. Guthrie. Aye.

9632 *The Clerk. Mr. Guthrie votes aye.

9633 Mr. Griffith?

9634 *Mr. Griffith. Aye.

9635 *The Clerk. Mr. Griffith votes aye.

9636 Mr. Bilirakis?

9637 *Mr. Bilirakis. Aye.

9638 *The Clerk. Mr. Bilirakis votes aye.

9639 Mr. Johnson?

9640 *Mr. Johnson. Aye.

9641 *The Clerk. Mr. Johnson votes aye.

9642 Mr. Bucshon?

9643 *Mr. Bucshon. Aye.

9644 *The Clerk. Mr. Bucshon votes aye.

9645 Mr. Hudson?

9646 [No response.]

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9647 *The Clerk. Mr. Walberg?
9648 *Mr. Walberg. Aye.
9649 *The Clerk. Mr. Walberg votes aye.
9650 Mr. Carter?
9651 *Mr. Carter. Aye.
9652 *The Clerk. Mr. Carter votes aye.
9653 Mr. Duncan?
9654 *Mr. Duncan. Aye.
9655 *The Clerk. Mr. Duncan votes aye.
9656 Mr. Palmer?
9657 [No response.]
9658 *The Clerk. Mr. Dunn?
9659 *Mr. Dunn. Aye.
9660 *The Clerk. Mr. Dunn votes aye.
9661 Mr. Curtis?
9662 *Mr. Curtis. Aye.
9663 *The Clerk. Mr. Curtis votes aye.
9664 Mrs. Lesko?
9665 *Mrs. Lesko. Aye.
9666 *The Clerk. Mrs. Lesko votes aye.
9667 Mr. Pence?
9668 *Mr. Pence. Aye.

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9669 *The Clerk. Mr. Pence votes aye.
9670 Mr. Crenshaw?
9671 *Mr. Crenshaw. Aye.
9672 *The Clerk. Mr. Crenshaw votes aye.
9673 Mr. Joyce?
9674 *Mr. Joyce. Aye.
9675 *The Clerk. Mr. Joyce votes aye.
9676 Mr. Armstrong?
9677 *Mr. Armstrong. Yes.
9678 *The Clerk. Mr. Armstrong votes aye.
9679 Mr. Weber?
9680 *Mr. Weber. Aye.
9681 *The Clerk. Mr. Weber votes aye.
9682 Mr. Allen?
9683 *Mr. Allen. Aye.
9684 *The Clerk. Mr. Allen votes aye.
9685 Mr. Balderson?
9686 *Mr. Balderson. Aye.
9687 *The Clerk. Mr. Balderson votes aye.
9688 Mr. Fulcher? Mr. Fulcher?
9689 *Mr. Fulcher. Fulcher is aye.
9690 *The Clerk. Mr. Fulcher votes aye.

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9691 Mr. Pfluger?

9692 *Mr. Pfluger. Aye.

9693 *The Clerk. Mr. Pfluger votes aye.

9694 Mrs. Harshbarger?

9695 *Mrs. Harshbarger. Aye.

9696 *The Clerk. Mrs. Harshbarger votes aye.

9697 Mrs. Miller-Meeks?

9698 *Mrs. Miller-Meeks. Yes.

9699 *The Clerk. Mrs. Miller-Meeks votes aye.

9700 Mrs. Cammack?

9701 *Mrs. Cammack. Yes.

9702 *The Clerk. Mrs. Cammack votes aye.

9703 Mr. Obernolte?

9704 [No response.]

9705 *The Clerk. Mr. Pallone?

9706 *Mr. Pallone. No.

9707 *The Clerk. Mr. Pallone votes no.

9708 Ms. Eshoo?

9709 *Ms. Eshoo. No.

9710 *The Clerk. Ms. Eshoo votes no.

9711 Ms. DeGette?

9712 *Ms. DeGette. No.

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9713 *The Clerk. Ms. DeGette votes no.
9714 Ms. Schakowsky?
9715 *Ms. Schakowsky. No.
9716 *The Clerk. Ms. Schakowsky votes no.
9717 Ms. Matsui?
9718 *Ms. Matsui. No.
9719 *The Clerk. Ms. Matsui votes no.
9720 Ms. Castor?
9721 *Ms. Castor. No.
9722 *The Clerk. Ms. Castor votes no.
9723 Mr. Sarbanes?
9724 *Mr. Sarbanes. No.
9725 *The Clerk. Mr. Sarbanes votes no.
9726 Mr. Tonko?
9727 *Mr. Tonko. No.
9728 *The Clerk. Mr. Tonko votes no.
9729 Ms. Clarke?
9730 *Ms. Clarke. No.
9731 *The Clerk. Ms. Clarke votes no.
9732 Mr. Cardenas?
9733 *Mr. Cardenas. No.
9734 *The Clerk. Mr. Cardenas votes no.

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9735 Mr. Ruiz?
9736 *Mr. Ruiz. No.
9737 *The Clerk. Mr. Ruiz votes no.
9738 Mr. Peters?
9739 *Mr. Peters. No.
9740 *The Clerk. Mr. Peters votes no.
9741 Mrs. Dingell?
9742 *Mrs. Dingell. No.
9743 *The Clerk. Mrs. Dingell votes no.
9744 Mr. Veasey?
9745 *Mr. Veasey. No.
9746 *The Clerk. Mr. Veasey votes no.
9747 Ms. Kuster?
9748 *Ms. Kuster. No.
9749 *The Clerk. Ms. Kuster votes no.
9750 Ms. Kelly?
9751 *Ms. Kelly. No.
9752 *The Clerk. Ms. Kelly votes no.
9753 *The Clerk. Ms. Barragan.
9754 *Ms. Barragan. No.
9755 *The Clerk. Ms. Barragan votes no.
9756 Ms. Blunt Rochester?

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9757 *Ms. Blunt Rochester. No.

9758 *The Clerk. Ms. Blunt Rochester votes no.

9759 Mr. Soto?

9760 *Mr. Soto. No.

9761 *The Clerk. Mr. Soto votes no.

9762 Ms. Craig?

9763 *Ms. Craig. Yes.

9764 *The Clerk. Ms. Craig votes aye.

9765 Ms. Schrier?

9766 *Ms. Schrier. Aye.

9767 *The Clerk. Ms. Schrier votes aye.

9768 Mrs. Trahan?

9769 *Mrs. Trahan. No.

9770 *The Clerk. Mrs. Trahan votes no.

9771 Mrs. Fletcher?

9772 *Mrs. Fletcher. No.

9773 *The Clerk. Mrs. Fletcher votes no.

9774 Chair Rodgers?

9775 *The Chair. Aye.

9776 *The Clerk. Chair Rodgers votes aye.

9777 *The Chair. Are there any members seeking to be

9778 recorded.

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9779 Madame clerk, how is Mr. Palmer recorded?

9780 *The Clerk. Mr. Palmer is not recorded.

9781 *Mr. Palmer. Yes.

9782 *The Clerk. Mr. Palmer votes aye.

9783 *The Chair. The clerk will report.

9784 *The Clerk. Chair Rodgers, on that vote we have 29 ayes

9785 and 21 noes.

9786 *The Chair. The ayes have it, the bill is adopted.

9787 The Chair calls up H.R. 1640, and asks the clerk to

9788 report.

9789 *The Clerk. H.R. 1640, a bill to prohibit --

9790 *The Chair. Without objection, the first reading of the

9791 bill is dispensed with and the bill will be open for

9792 amendment at any point, so ordered.

9793 Does anyone seek to be recognized on the bill?

9794 For what purpose does the lady from Arizona seek

9795 recognition?

9796 *Mrs. Lesko. Thank you, Madame chair, I move to strike

9797 the last word to talk about my bill.

9798 *The Chair. The gentlelady is recognized for five

9799 minutes to strike the last word.

9800 *Mrs. Lesko. Thank you, Madame chair. I am proud to

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9801 sponsor H.R. 1640, the Save Our Gas Stoves Act. The bill
9802 prohibits the Department of Energy from implementing its
9803 proposed rule that would eliminate the future sale of the
9804 vast majority of gas stove products that are available today.

9805 There are basically two types of gas stoves, the
9806 cooktops that don't include an oven and are mounted on top of
9807 the counter, and the more common freestanding ranges that
9808 combine the cooktop with the oven.

9809 The proposed rule, based on DOE's own analysis, would
9810 eliminate 96 percent of gas cooktops available today. Even
9811 worse, the rule would eliminate all currently available
9812 models of freestanding ranges, which make up almost 90
9813 percent of all gas stoves sold today.

9814 Let me repeat, no freestanding ranges that have been
9815 tested, meet the standards level under the proposed new rule.
9816 So when Secretary Granholm told us the new rule would only
9817 affect high-end gas stove products, that is simply not the
9818 case.

9819 Testing by the Association of Home Appliance
9820 Manufacturers, found that under the proposed rule, the time
9821 it would take to boil a pot of water would increase by about
9822 seven minutes. Over a full year, the new standard could cost

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9823 consumers nearly a full day simply waiting for water to boil.

9824 The new standard could mean ranges and cooktops would
9825 have no more than one large burner, which of course would be
9826 difficult for large families. In DOE's own report, which is
9827 right here, it says that the proposed rule would eliminate 96
9828 percent of an entire class of cooktops available today.

9829 Then later on, DOE claimed that only 50 percent of the
9830 products available today would be eliminated, but it appears
9831 DOE pulled this number, quite frankly, out of thin air,
9832 because DOE didn't even test the stoves that they said would
9833 qualify, so how do they know that they would?

9834 To date, Department of Energy provides no data or
9835 substantiation for how it determined the models on retailer
9836 websites would meet its proposed standards. Department of
9837 Energy estimates that the proposed rule will save a whopping
9838 \$21.89 per stove over 14 years, that is a whopping \$1.50 a
9839 year of 12 cents a month. Hardly worth the lack of consumer
9840 choice. Hardly worth the lack of not having large burners.
9841 Hardly worth waiting for water to boil for seven additional
9842 minutes.

9843 According to the Department of Energy, natural gas is
9844 three and a half times cheaper than electricity. According

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9845 to studies, households that use natural gas for heating,
9846 cooking, and clothes drying save an average of \$1,068 per
9847 year, compared to homes using electricity for those
9848 applications.

9849 This bill already has 58 bipartisan co-sponsors,
9850 Republicans and 29 Democrats already voted for an amendment
9851 included in H.R. 1 to do basically the same thing as this
9852 bill.

9853 I ask my colleagues to join me in protecting consumer
9854 choice. I ask my colleagues to join me in saving our gas
9855 stoves. I ask my colleagues to join me in voting yes.

9856 Madame chairman, I ask unanimous consent to insert into
9857 the record letters from the American Gas Association, from
9858 ATMOS Energy, CenterPoint Energy, The American Public Gas
9859 Association, The Association of Home Appliance Manufacturers,
9860 and a letter from Southwest Gas Corporation, which delivers
9861 natural gas to Arizona, Nevada, and California, and the
9862 Arizona Restaurant Association, all supporting my bill and I
9863 yield back.

9864 *The Chair. Without objection, so ordered. The
9865 gentlelady yields back. Further discussion?

9866 The lady from Florida is recognized for five minutes to

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9867 strike the last word. Ms. Castor?

9868 *Ms. Castor. Thank you, Madame chair. I rise to speak
9869 in opposition. I do not know why our GOP friends are so dead
9870 set against cost-saving, energy efficient appliances. But
9871 you know, I think we do know why. It is the same old story.
9872 Protecting the profits of oil and gas corporations.

9873 The Republican bill H.R. 1640, this is what it does, it
9874 would prohibit the Secretary of Energy from finalizing or
9875 enforcing a February proposed rule that would improve the
9876 efficiency of electric and gas stoves, and thereby allow our
9877 neighbors back home to save money on their energy bills.

9878 DOE's proposed rule is one of their statutorily required
9879 updates and it follows years of inaction and missed
9880 statutorily mandated standards deadlines by the Trump
9881 Administration. They stalled and stalled, that is costing
9882 our neighbors a lot of money.

9883 But I have to say, the misinformation being spread
9884 through this messaging bill is beneath the dignity of this
9885 Committee. The Energy and Commerce Committee has an
9886 important responsibility of oversight of public health risk
9887 to our families, we also have a very important oversight
9888 responsibility for energy policy, which to Democrats,

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9889 includes saving our neighbor's money on their electric bills.

9890 So I think the proper name of this bill would really be
9891 the Gaslighting Act. You know, DOE cannot ban gas stoves.
9892 Go look at their website, energy.gov, where they compare gas
9893 stoves and electric stoves, pros and cons, or take it
9894 directly from Secretary Granholm, who was right here, who
9895 said nobody is taking your gas stove. Nobody is taking her
9896 gas stove.

9897 The bottom line is the Republicans want to stop the
9898 Department of Energy from updating energy efficiency
9899 standards that save consumers money. And on the other bill,
9900 the next bill, they want to bury the information that burning
9901 methane gas in your kitchen, when it is not ventilated, is
9902 harmful, to children especially.

9903 In fact, gas stoves pump carbon monoxide, nitrogen
9904 dioxide, carcinogens, and other pollutants right into your
9905 kitchen, which can trigger asthma attacks and have
9906 significant heart impacts. It is a real problem, especially
9907 because most people do not have ventilation.

9908 And I hope you all will recognize what the impacts are
9909 on children, especially. Here is a stat that I think is very
9910 important. Children who live in homes with gas stoves are 42

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9911 percent more likely to experience asthma symptoms than homes
9912 with electric stoves.

9913 So this is a very important bill, but it also is an eye
9914 -- it is a very important bill to oppose, but it is an
9915 important opportunity to remind everyone that in the
9916 Inflation Reduction Act we are trying to save you money,
9917 lower cost on your energy bills.

9918 Within the next year, the high efficiency electric home
9919 rebate, created as part of the Inflation Reduction Act, could
9920 lower the cost of energy-star approved induction cooktops and
9921 ranges by up to \$840. And that money is directly deducted
9922 when you buy or install your appliance, as opposed to having
9923 to file it on your tax return.

9924 Go to RewiringAmerica.org, plug in your zip code and you
9925 will see a whole host of new discounts and rebates for energy
9926 efficient appliances. Americans value energy efficient
9927 appliances. They want to save money on their electric bills.

9928 Don't let Republicans and the oil and gas companies
9929 mislead you. I urge a no vote on this bill, properly termed,
9930 The Gaslighting Act. Thank you and I yield back.

9931 *The Chair. Further discussion?

9932 Seeing no further discussion.

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9933 *Mr. Allen. I move to strike the last word.

9934 *The Chair. The gentleman from Georgia is recognized to
9935 strike the last word.

9936 *Mr. Allen. Never in my imagination would I believe
9937 that I would be speaking to save my wife's gas stove here
9938 today, but I promised her I would do it, so honey, this is
9939 for you.

9940 *The Chair. The gentleman yields back. The question
9941 now occurs on approving H.R. 1640, and a roll call has been
9942 requested. The clerk will call the roll.

9943 *The Clerk. Mr. Burgess?

9944 *Mr. Burgess. Burgess votes aye.

9945 *The Clerk. Mr. Burgess votes aye.

9946 Mr. Latta?

9947 *Mr. Latta. Aye.

9948 *The Clerk. Mr. Latta votes aye.

9949 Mr. Guthrie?

9950 *Mr. Guthrie. Aye.

9951 *The Clerk. Mr. Guthrie votes aye.

9952 Mr. Griffith?

9953 *Mr. Griffith. Aye.

9954 *The Clerk. Mr. Griffith votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

9955 Mr. Bilirakis?

9956 *Mr. Bilirakis. Aye.

9957 *The Clerk. Mr. Bilirakis votes aye.

9958 Mr. Johnson?

9959 *Mr. Johnson. Aye.

9960 *The Clerk. Mr. Johnson votes aye.

9961 Mr. Bucshon?

9962 *Mr. Bucshon. Aye.

9963 *The Clerk. Mr. Bucshon votes aye.

9964 Mr. Hudson?

9965 [No response.]

9966 *The Clerk. Mr. Walberg?

9967 *Mr. Walberg. Aye.

9968 *The Clerk. Mr. Walberg votes aye.

9969 Mr. Carter?

9970 *Mr. Carter. Aye.

9971 *The Clerk. Mr. Carter votes aye.

9972 Mr. Duncan?

9973 [No response.)

9974 *The Clerk. Mr. Palmer?

9975 *Mr. Palmer. Aye.

9976 *The Clerk. Mr. Palmer votes aye.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

9977 Mr. Dunn?
9978 *Mr. Dunn. Aye.
9979 *The Clerk. Mr. Dunn votes aye.
9980 Mr. Curtis?
9981 *Mr. Curtis. Aye.
9982 *The Clerk. Mr. Curtis votes aye.
9983 Mrs. Lesko?
9984 *Mrs. Lesko. Aye.
9985 *The Clerk. Mrs. Lesko votes aye.
9986 Mr. Pence?
9987 *Mr. Pence. Aye.
9988 *The Clerk. Mr. Pence votes aye.
9989 Mr. Crenshaw?
9990 *Mr. Crenshaw. Aye.
9991 *The Clerk. Mr. Crenshaw votes aye.
9992 Mr. Joyce?
9993 *Mr. Joyce. Aye.
9994 *The Clerk. Mr. Joyce votes aye.
9995 Mr. Armstrong?
9996 *Mr. Armstrong. Yes.
9997 *The Clerk. Mr. Armstrong votes aye.
9998 Mr. Weber?

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9999 *Mr. Weber. I'm not going to be gaslighted. I vote
10000 aye.
10001 *The Clerk. Mr. Weber votes aye.
10002 Mr. Allen?
10003 *Mr. Allen. Aye.
10004 *The Clerk. Mr. Allen votes aye.
10005 Mr. Balderson?
10006 *Mr. Balderson. Aye.
10007 *The Clerk. Mr. Balderson votes aye.
10008 Mr. Fulcher? Mr. Fulcher?
10009 *Mr. Fulcher. Fulcher is aye.
10010 *The Clerk. Mr. Fulcher votes aye.
10011 Mr. Pfluger?
10012 *Mr. Pfluger. Aye.
10013 *The Clerk. Mr. Pfluger votes aye.
10014 Mrs. Harshbarger?
10015 *Mrs. Harshbarger. Aye.
10016 *The Clerk. Mrs. Harshbarger votes aye.
10017 Mrs. Miller-Meeks?
10018 *Mrs. Miller-Meeks. Yes.
10019 *The Clerk. Mrs. Miller-Meeks votes aye.
10020 Mrs. Cammack?

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10021 *Mrs. Cammack. Yes.

10022 *The Clerk. Mrs. Cammack votes aye.

10023 Mr. Obernolte?

10024 [No response.]

10025 *The Clerk. Mr. Pallone?

10026 *Mr. Pallone. No.

10027 *The Clerk. Mr. Pallone votes no.

10028 Ms. Eshoo?

10029 *Ms. Eshoo. No.

10030 *The Clerk. Ms. Eshoo votes no.

10031 Ms. DeGette?

10032 *Ms. DeGette. No.

10033 *The Clerk. Ms. DeGette votes no.

10034 Ms. Schakowsky?

10035 *Ms. Schakowsky. No.

10036 *The Clerk. Ms. Schakowsky votes no.

10037 Ms. Matsui?

10038 *Ms. Matsui. No.

10039 *The Clerk. Ms. Matsui votes no.

10040 Ms. Castor?

10041 *Ms. Castor. No.

10042 *The Clerk. Ms. Castor votes no.

This is an unedited transcript. The statements within may be inaccurate, incomplete, or misattributed to the speaker.

10043 Mr. Sarbanes?
10044 *Mr. Sarbanes. No.
10045 *The Clerk. Mr. Sarbanes votes no.
10046 Mr. Tonko?
10047 *Mr. Tonko. No.
10048 *The Clerk. Mr. Tonko votes no.
10049 Ms. Clarke?
10050 *Ms. Clarke. No.
10051 *The Clerk. Ms. Clarke votes no.
10052 Mr. Cardenas?
10053 *Mr. Cardenas. No.
10054 *The Clerk. Mr. Cardenas votes no.
10055 Mr. Ruiz?
10056 *Mr. Ruiz. No.
10057 *The Clerk. Mr. Ruiz votes no.
10058 Mr. Peters?
10059 *Mr. Peters. No.
10060 *The Clerk. Mr. Peters votes no.
10061 Mrs. Dingell?
10062 [No response.]
10063 *The Clerk. Mr. Veasey?
10064 *Mr. Veasey. Yes.

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10065 *The Clerk. Mr. Veasey votes aye.
10066 Ms. Kuster?
10067 *Ms. Kuster. No.
10068 *The Clerk. Ms. Kuster votes no.
10069 Ms. Kelly?
10070 *Ms. Kelly. No.
10071 *The Clerk. Ms. Kelly votes no.
10072 *The Clerk. Ms. Barragan.
10073 *Ms. Barragan. No.
10074 *The Clerk. Ms. Barragan votes no.
10075 Ms. Blunt Rochester?
10076 *Ms. Blunt Rochester. No.
10077 *The Clerk. Ms. Blunt Rochester votes no.
10078 Mr. Soto?
10079 *Mr. Soto. No.
10080 *The Clerk. Mr. Soto votes no.
10081 Ms. Craig?
10082 *Ms. Craig. Yes.
10083 *The Clerk. Ms. Craig votes aye.
10084 Ms. Schrier?
10085 *Ms. Schrier. Aye.
10086 *The Clerk. Ms. Schrier votes aye.

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10087 Mrs. Trahan?

10088 *Mrs. Trahan. No.

10089 *The Clerk. Mrs. Trahan votes no.

10090 Mrs. Fletcher?

10091 *Mrs. Fletcher. Aye.

10092 *The Clerk. Mrs. Fletcher votes aye.

10093 Chair Rodgers?

10094 *The Chair. Aye.

10095 *The Clerk. Chair Rodgers votes aye.

10096 *The Chair. Are there any members -- oh, yes. Madame

10097 clerk, how is Mr. Duncan recorded?

10098 *The Clerk. Mr. Duncan is not recorded.

10099 *Mr. Duncan. Aye.

10100 *The Clerk. Mr. Duncan votes aye.

10101 *The Chair. The clerk will report.

10102 *The Clerk. Chair Rodgers, on that vote we have 31 ayes

10103 and 18 noes.

10104 *The Chair. The ayes have it and the bill is adopted.

10105 The Chair calls up H.R. 1615, and asks the clerk to

10106 report.

10107 *The Clerk. H.R. 1615, a bill to prohibit the use of --

10108 *The Chair. Without objection, the first reading of the

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10109 bill is dispensed with. The bill will be open to amendment
10110 at any point, so ordered.

10111 Does anyone seek to be recognized? The gentleman from
10112 North Dakota, Mr. Armstrong, is recognized for five minutes
10113 to strike the last word.

10114 *Mr. Allen. Thank you, Madam chair.

10115 H.R. 1615, the Gas Stove Protection and Freedom Act
10116 would prohibit funding to the Consumer Product Safety
10117 Commission for two purposes; first, to regulate gas stoves as
10118 a banned hazardous product, or second, to impose or enforce
10119 any consumer product safety standard or rule, regarding gas
10120 stoves, that would result in a prohibition on the use or sale
10121 of the appliance or otherwise substantially increase the
10122 average price.

10123 We are advancing this bill today because Commissioner
10124 Richard Trumka Jr. has made repeated statements that the
10125 Commission was considering substantial regulatory action on
10126 gas stoves, including a December 2022 statement that a ban on
10127 gas stoves was a possibility.

10128 The Chairman has walked back Commissioner Trumka's
10129 impetuous statements by declaring, "I am not looking to ban
10130 gas stoves' ". However, despite the Chairman's clean-up

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10131 statement, the Commission has since issued a March 1st
10132 request for information that includes repeated mentions of
10133 toxic emissions and chronic hazards regarding gas stoves.

10134 We all agree that agree that consumer product safety is
10135 important, yet, it is apparent that the underlying motivation
10136 behind this veiled consumer safety plan is a green climate
10137 agenda which will go to further restrict natural gas.

10138 And you don't have to take my word for it. In a letter
10139 sent to the Commission by 20 Congressional Democrats in
10140 December of 2022, that first mentioned the equivalent climate
10141 impact of regulating gas stoves before ever addressing the
10142 merits of any health concerns.

10143 And let's get into the alleged health concerns. First,
10144 multiple studies that gas stoves create harmful indoor
10145 emissions levels have been criticized for inaccurate
10146 conclusions in testing that failed to simulate real-world
10147 conditions.

10148 Some of those studies measured indoor emissions in an
10149 area enclosed in a plastic tarp without ventilation.
10150 Meanwhile, studies in actual homes under real-life conditions
10151 found that nitrogen dioxide levels were well below the
10152 standard EPA considers harmful to health.

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10153 Further, other cooking-related and non-cooking related
10154 emission factors have a meaningful impact on indoor
10155 emissions. Things like chemical makeup of food and oils,
10156 cooking temperature, cooking methods, food surface to mass
10157 index, the use of exhaust and ventilation, as well as the
10158 burning of tobacco, candles, and incense.

10159 Again, all of this is secondary because we know the
10160 motivation at the CPSC and throughout the entire
10161 Administration is a green climate push. They seek to dictate
10162 how Americans live every aspect of their lives. How
10163 Americans save and invest for the future by pushing ESG, how
10164 Americans drive by banning gas-powered cars and now, how
10165 Americans cook their food.

10166 I urge everyone to vote in favor of H.R. 1615, so we can
10167 at least end the Commission's misguided foray into home
10168 cooking preferences of the American people. And with that, I
10169 yield back.

10170 *The Chair. The gentleman yields back. Further
10171 discussion?

10172 The Chair recognizes the lady from Illinois.

10173 *Ms. Schakowsky. I move to strike the last word?

10174 *The Chair. The lady is recognized for five minutes to

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10175 strike the last word.

10176 *Ms. Schakowsky. So I am going to start with process,
10177 although I don't think that is the biggest issue. You know,
10178 our Subcommittee, that deals with issues of consumer
10179 protection, did not have a single hearing. There was no talk
10180 about it whatsoever, there was certainly not a markup. This
10181 is really the first we heard of it that the CPSC was thinking
10182 about, they had a dream about maybe, but there was no
10183 legislation. There was no decision that there was somehow
10184 going to be a ban on gas stoves.

10185 Now, I am the owner of a gas stove and I would like to
10186 know if there are problems with gas stoves. I have a family.
10187 I have children. I have grandchildren. Just like I want to
10188 know some of the safety features of the car that I drive, we
10189 all do.

10190 And a lot of the products that we have, we would like to
10191 have some investigation. That is what the Consumer Product
10192 Safety Commission does. It looks into this. And everybody
10193 got all excited. Oh my god, they were going to come in my
10194 house and take away not my guns, but my gas stove?

10195 I mean, this is, I think, a bit paranoid here. And I
10196 would like to, rather than say, oh, there is no way that

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10197 there is going to be a decision on the part of consumers,
10198 that is based on fact, to decide whether you want a gas stove
10199 or not.

10200 Now, there as my colleague said, that there are some --
10201 there is some evidence that there really is -- there are some
10202 issues that we may want to consider. There may be even want
10203 to be some suggestions of how we can ameliorate some of the
10204 problems of that have been raised, but let's not look into
10205 any of it.

10206 I think that makes no sense. That is not good policy
10207 making. That is not the basis on which we pass a law that
10208 would eliminate any kind of research, through the Consumer
10209 Product Safety Commission.

10210 This is not about the Consumer Product Safety Commission
10211 wanting to control your life, which is what I heard from our
10212 last speaker, and I think that doesn't make any sense.

10213 So I think that we ought to calm down, there is no bill
10214 at hand that would prevent you from having a gas stove at
10215 all. No one is coming into your house, into your home,
10216 making a decision for you. Let's find out.

10217 And in fact, Mr. Tonko and I last year, at the end of
10218 last year, went to make sure that the Consumer Product Safety

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10219 Commission and the Environmental Protection Agency were
10220 working together to do a little bit of research on whether
10221 this is a problem product.

10222 So I want to know, as an owner. And so I would suggest
10223 that we just hold our horses here and take a deep breath and
10224 not pass a bill that would eliminate a potentially dangerous
10225 product.

10226 And with that, I am going to yield back to Mr. Pallone.

10227 *Mr. Pallone. I think I'm going to take my own time,
10228 quickly though, but I know that -- does someone else have a?
10229 Mr. Palmer?

10230 *Ms. Schakowsky. Oh, there are others. Okay.

10231 *Mr. Pallone. Are you going to speak?

10232 *Ms. Schakowsky. I yield back.

10233 *The Chair. The gentlelady yields back. The Chair
10234 yields five minutes to Mr. Palmer to strike the last word.

10235 *Mr. Palmer. I move to strike the last word.

10236 First of all, it is comforting to hear, from my Democrat
10237 colleagues, that if you like your stove, you can keep your
10238 stove.

10239 I just want to remind people that practically every
10240 energy decision and action taken, made by the Biden

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10241 Administration and taken by the Biden Administration. The
10242 Democrat majority in the last Congress has resulted in higher
10243 costs for food, clothing, household utilities, and everything
10244 else.

10245 And this is just what is going on at the Department of
10246 Energy is just a continuation of those bad decisions.
10247 Democrat opposition to natural gas stoves is just another
10248 example of their radical attachment to the green new deal
10249 agenda that is going to further undermine our economy and I
10250 think will ultimately compromise our national security.

10251 So this gets a little bit bigger than just gas stoves
10252 and whether or not you don't want to cook on a gas stove or
10253 you want something else. So I do appreciate the fact that if
10254 we like our stove, we can keep our stove. I yield back.

10255 *The Chair. The gentleman yields back. The Chair
10256 recognizes the ranking member, five minutes to strike the
10257 last word.

10258 *Mr. Pallone. Thank you. And I won't use all the time,
10259 but despite claims by the majority that they are committed to
10260 regular order, they put H.R. 1615 on today's full Committee
10261 markup without holding a single hearing on the bill or on the
10262 Consumer Product Safety Commission's important work exploring

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10263 the potential health hazards related to gas stove emissions.

10264 Instead, the Republicans provided us with less than 48-
10265 hours' notice that they were including H.R. 1615 in today's
10266 markup, and obviously that is not regular order. Moreover,
10267 protecting children and all consumer's health and safety
10268 should not be a partisan issue, but the majority is not
10269 focused on the important role that the Consumer Product
10270 Safety Commission plays in protecting the public against
10271 hazardous consumer products.

10272 Instead, Republicans have continuously touted, what I
10273 consider, a false narrative about a ban on gas stoves that
10274 Consumer Product Safety Commission Chair Hoehn-Saric has
10275 clearly states is not under consideration, while ignoring
10276 legitimate concerns raised by stakeholders about potential
10277 hazards posed by gas stove emissions and the reasonable work
10278 of the Commission in inviting input on whether gas stove
10279 emissions pose risks to children and their families.

10280 What is more, this bill is so broad that it could
10281 prevent the Consumer Product Safety Commission from taking
10282 action if it finds that a particular model of gas stoves has
10283 a design flaw that creates other serious safety risks, for
10284 example, the risk of exploding.

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10285 Now, Congress established the CPSC as an independent
10286 commission to ensure that dangerous products would not be
10287 used as political footballs. We must allow the Consumer
10288 Product Safety Commission to rely on its expert staff to do
10289 their job.

10290 This bill, in my opinion, sets a dangerous precedent at
10291 stifling the Consumer Product Safety Commission's research
10292 and reducing the tools it has available to protect American
10293 families from potential safety risk.

10294 So I would urge a no on it and I yield back, Madame
10295 chair.

10296 *The Chair. The gentleman yields back. Further
10297 discussion?

10298 Seeing none, the question now occurs on approving H.R.
10299 1615. A roll call has been requested. The clerk will call
10300 the roll.

10301 *The Clerk. Mr. Burgess?

10302 *Mr. Burgess. Aye.

10303 *The Clerk. Mr. Burgess votes aye.

10304 Mr. Latta?

10305 *Mr. Latta. Aye.

10306 *The Clerk. Mr. Latta votes aye.

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10307 Mr. Guthrie?
10308 *Mr. Guthrie. Aye.
10309 *The Clerk. Mr. Guthrie votes aye.
10310 Mr. Griffith?
10311 *Mr. Griffith. Aye.
10312 *The Clerk. Mr. Griffith votes aye.
10313 Mr. Bilirakis?
10314 *Mr. Bilirakis. Aye.
10315 *The Clerk. Mr. Bilirakis votes aye.
10316 Mr. Johnson?
10317 *Mr. Johnson. Aye.
10318 *The Clerk. Mr. Johnson votes aye.
10319 Mr. Bucshon?
10320 *Mr. Bucshon. Aye.
10321 *The Clerk. Mr. Bucshon votes aye.
10322 Mr. Hudson?
10323 [No response.]
10324 *The Clerk. Mr. Walberg?
10325 *Mr. Walberg. Aye.
10326 *The Clerk. Mr. Walberg votes aye.
10327 Mr. Carter?
10328 *Mr. Carter. Aye.

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10329 *The Clerk. Mr. Carter votes aye.
10330 Mr. Duncan?
10331 *Mr. Duncan. Yes.
10332 *The Clerk. Mr. Duncan votes aye.
10333 Mr. Palmer?
10334 *Mr. Palmer. Aye.
10335 *The Clerk. Mr. Palmer votes aye.
10336 Mr. Dunn?
10337 *Mr. Dunn. Aye.
10338 *The Clerk. Mr. Dunn votes aye.
10339 Mr. Curtis?
10340 *Mr. Curtis. Aye.
10341 *The Clerk. Mr. Curtis votes aye.
10342 Mrs. Lesko?
10343 *Mrs. Lesko. Aye.
10344 *The Clerk. Mrs. Lesko votes aye.
10345 Mr. Pence?
10346 *Mr. Pence. Aye.
10347 *The Clerk. Mr. Pence votes aye.
10348 Mr. Crenshaw?
10349 *Mr. Crenshaw. Aye.
10350 *The Clerk. Mr. Crenshaw votes aye.

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10351 Mr. Joyce?

10352 *Mr. Joyce. Aye.

10353 *The Clerk. Mr. Joyce votes aye.

10354 Mr. Armstrong?

10355 *Mr. Armstrong. Yes.

10356 *The Clerk. Mr. Armstrong votes aye.

10357 Mr. Weber?

10358 *Mr. Weber. Aye.

10359 *The Clerk. Mr. Weber votes aye.

10360 Mr. Allen?

10361 *Mr. Allen. Aye.

10362 *The Clerk. Mr. Allen votes aye.

10363 Mr. Balderson?

10364 *Mr. Balderson. Aye.

10365 *The Clerk. Mr. Balderson votes aye.

10366 Mr. Fulcher? Mr. Fulcher?

10367 *Mr. Fulcher. Aye.

10368 *The Clerk. Mr. Fulcher votes aye.

10369 Mr. Pfluger?

10370 *Mr. Pfluger. Aye.

10371 *The Clerk. Mr. Pfluger votes aye.

10372 Mrs. Harshbarger?

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10373 *Mrs. Harshbarger. Aye.
10374 *The Clerk. Mrs. Harshbarger votes aye.
10375 Mrs. Miller-Meeks?
10376 *Mrs. Miller-Meeks. Yes.
10377 *The Clerk. Mrs. Miller-Meeks votes aye.
10378 Mrs. Cammack?
10379 *Mrs. Cammack. Yes.
10380 *The Clerk. Mrs. Cammack votes aye.
10381 Mr. Obernolte?
10382 [No response.]
10383 *The Clerk. Mr. Pallone?
10384 *Mr. Pallone. No.
10385 *The Clerk. Mr. Pallone votes no.
10386 Ms. Eshoo?
10387 *Ms. Eshoo. No.
10388 *The Clerk. Ms. Eshoo votes no.
10389 Ms. DeGette?
10390 *Ms. DeGette. No.
10391 *The Clerk. Ms. DeGette votes no.
10392 Ms. Schakowsky?
10393 *Ms. Schakowsky. No.
10394 *The Clerk. Ms. Schakowsky votes no.

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10395 Ms. Matsui?
10396 *Ms. Matsui. No.
10397 *The Clerk. Ms. Matsui votes no.
10398 Ms. Castor?
10399 *Ms. Castor. No.
10400 *The Clerk. Ms. Castor votes no.
10401 Mr. Sarbanes?
10402 *Mr. Sarbanes. No.
10403 *The Clerk. Mr. Sarbanes votes no.
10404 Mr. Tonko?
10405 *Mr. Tonko. No.
10406 *The Clerk. Mr. Tonko votes no.
10407 Ms. Clarke?
10408 *Ms. Clarke. No.
10409 *The Clerk. Ms. Clarke votes no.
10410 Mr. Cardenas?
10411 *Mr. Cardenas. No.
10412 *The Clerk. Mr. Cardenas votes no.
10413 Mr. Ruiz?
10414 *Mr. Ruiz. No.
10415 *The Clerk. Mr. Ruiz votes no.
10416 Mr. Peters?

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10417 *Mr. Peters. No.

10418 *The Clerk. Mr. Peters votes no.

10419 Mrs. Dingell? Mrs. Dingell?

10420 [No response.]

10421 *The Clerk. Mr. Veasey?

10422 [No response.]

10423 *The Clerk. Ms. Kuster?

10424 *Ms. Kuster. No.

10425 *The Clerk. Ms. Kuster votes no.

10426 Ms. Kelly?

10427 *Ms. Kelly. No.

10428 *The Clerk. Ms. Kelly votes no.

10429 *The Clerk. Ms. Barragan.

10430 *Ms. Barragan. No.

10431 *The Clerk. Ms. Barragan votes no.

10432 Ms. Blunt Rochester?

10433 *Ms. Blunt Rochester. No.

10434 *The Clerk. Ms. Blunt Rochester votes no.

10435 Mr. Soto?

10436 *Mr. Soto. No.

10437 *The Clerk. Mr. Soto votes no.

10438 Ms. Craig?

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10439 *Ms. Craig. Yes.

10440 *The Clerk. Ms. Craig votes aye.

10441 Ms. Schrier?

10442 *Ms. Schrier. No.

10443 *The Clerk. Ms. Schrier votes no.

10444 Mrs. Trahan?

10445 *Mrs. Trahan. No.

10446 *The Clerk. Mrs. Trahan votes no.

10447 Mrs. Fletcher?

10448 *Mrs. Fletcher. Aye.

10449 *The Clerk. Mrs. Fletcher votes aye.

10450 Chair Rodgers?

10451 *The Chair. Aye.

10452 *The Clerk. Chair Rodgers votes aye.

10453 *The Chair. Are there any members seeking to be

10454 recorded?

10455 The clerk will report.

10456 *The Clerk. Chair Rodgers, on that vote we have 29 ayes

10457 and 19 noes.

10458 *The Chair. The ayes have it and the bill is adopted.

10459 Without objection, staff is authorized to make technical

10460 and conforming changes to the legislation approved by the

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10461 Committee today, so ordered, without objection?

10462 Without objection, the list provided by the majority and

10463 the minority documents for the record, 5-24-23 full Committee

10464 markup, will be entered into the record without objection?

10465 So ordered.

10466 Without objection, the Committee stands adjourned.

10467 [Whereupon, at 4:53 p.m. the Committee was adjourned.]